

Lewis, Josh

From: Lewis, Josh
Sent: Tuesday, July 02, 2013 9:38 AM
To: Cheung, Kerry (Schatz)
Subject: Re: Municipal Waste Combustor MACT rule

Hi Kerry,

I'll give you a call later today...need a bit more info from you and then will be able to track down the correct technical staffer here.

Josh

From: Cheung, Kerry (Schatz)
Sent: Monday, July 01, 2013 4:47:28 PM
To: Lewis, Josh
Subject: Municipal Waste Combustor MACT rule

Josh,

I was wondering if you could direct me to someone who could answer some questions on MACT rules for Municipal Waste Combustors.

Thanks,

Kerry Cheung, PhD
Congressional Fellow
Office of Senator Brian Schatz
722 Hart Senate Office Building
Washington, DC 20510

Kerry Cheung

Follow Senator Schatz on Twitter & Facebook



Lewis, Josh

From: Miyasato, Diane (Schatz) [Diane_Miyasato@schatz.senate.gov]
Sent: Monday, April 15, 2013 11:36 AM
To: Lewis, Josh
Subject: RE: Follow up on Gina McCarthy

Great, thank you.

From: Lewis, Josh [mailto:Lewis.Josh@epa.gov]
Sent: Monday, April 15, 2013 11:32 AM
To: Miyasato, Diane (Schatz)
Subject: RE: Follow up on Gina McCarthy

Arvin Ganesan and Laura Vaught (both from EPA's Office of Congressional Affairs) will be joining Gina. You can use my #s below if there are any last minute changes. Thank you.

Josh Lewis
EPA/Office of Congressional and Intergovernmental Relations

Exp. 6

From: Miyasato, Diane (Schatz) [mailto:Diane_Miyasato@schatz.senate.gov]
Sent: Monday, April 15, 2013 11:24 AM
To: Lewis, Josh
Subject: RE: Follow up on Gina McCarthy

Yes, that is correct – 722 Hart. Please let me know if there will be anyone else joining Ms. McCarthy in the meeting. Additionally, please also send the best contact number for that day, should there be any last minute schedule changes.

Thank you,
Diane

Diane Miyasato
Scheduler
Office of Senator Brian Schatz

Exp. 6

From: Lewis, Josh [mailto:Lewis.Josh@epa.gov]
Sent: Monday, April 15, 2013 11:22 AM
To: Miyasato, Diane (Schatz)
Cc: Huang, Cindy
Subject: RE: Follow up on Gina McCarthy

4/22 at 3:30 works. See you then. Hart 722, right?

Josh Lewis
EPA/Office of Congressional and Intergovernmental Relations

Exp. 6

From: Miyasato, Diane (Schatz) [mailto:Diane_Miyasato@schatz.senate.gov]
Sent: Monday, April 15, 2013 10:49 AM
To: Lewis, Josh
Subject: RE: Follow up on Gina McCarthy

Hi Josh –

Thanks for getting back to me. How does Monday, April 22 at 3:30pm look for Ms. McCarthy's schedule? That time works well for the Senator.

Thank you,
Diane

Diane Miyasato
Scheduler
Office of Senator Brian Schatz

Exp. 4

From: Lewis, Josh [<mailto:Lewis.Josh@epa.gov>]
Sent: Monday, April 15, 2013 10:10 AM
To: Miyasato, Diane (Schatz)
Subject: RE: Follow up on Gina McCarthy

Hi Diane,

We're going to look to early next week for a date/time. Gina's pretty open on Monday 4/22...she could do any time before 11 am, from 12-1:30, or after 3 pm.

Josh Lewis
EPA/Office of Congressional and Intergovernmental Relations

Exp. 4

From: Miyasato, Diane (Schatz) [mailto:Diane_Miyasato@schatz.senate.gov]
Sent: Thursday, April 11, 2013 8:52 AM
To: Lewis, Josh
Subject: RE: Follow up on Gina McCarthy

No problem, Josh. Thanks for getting back to me.

From: Lewis, Josh [<mailto:Lewis.Josh@epa.gov>]
Sent: Thursday, April 11, 2013 8:51 AM
To: Miyasato, Diane (Schatz)
Subject: RE: Follow up on Gina McCarthy

Hi Diane,

Thanks for checking in. Gina's confirmation hearing is today, so let me get through that and then will follow up tomorrow to find a time that works best.

Josh Lewis
EPA/Office of Congressional and Intergovernmental Relations

Exp. 6

From: Miyasato, Diane (Schatz) [mailto:Diane_Miyasato@schatz.senate.gov]
Sent: Wednesday, April 10, 2013 4:48 PM
To: Lewis, Josh
Subject: RE: Follow up on Gina McCarthy

Hi Josh – I just wanted to follow up post recess and see if there was a time we could find for the Senator and Ms. McCarthy to meet. The Senator has some blocks of time on April 17th or sometime the following week.

Are there blocks of time that would work best for Ms. McCarthy?

Thank you,
Diane

Diane Miyasato
Scheduler
Office of Senator Brian Schatz

Exp. 6

From: Revana, Arun (Schatz)
Sent: Tuesday, March 12, 2013 6:02 PM
To: Lewis, Josh
Cc: Miyasato, Diane (Schatz)
Subject: RE: Follow up on Gina McCarthy

Hi Josh,
Thanks for your response. I am cc'ing Diane, Senator Schatz's scheduler, so that we might find a time for Ms. McCarthy and Senator Schatz to meet.
Thank you again,
Arun

Arun Revana
Legislative Director
Office of Senator Brian Schatz
722 Hart Senate Office Building
Washington, DC 20510

From: Lewis, Josh [<mailto:Lewis.Josh@epa.gov>]
Sent: Tuesday, March 12, 2013 5:34 PM
To: Revana, Arun (Schatz)
Subject: Follow up on Gina McCarthy

Hi Arun,

A colleague here mentioned you were inquiring about a call or meeting with Gina McCarthy. I'm assuming the Senator will not be in town during the weeks of 3/25 and 4/1, right? If so, then we'll have to look to post-recess to set something up. How about we connect after recess to see what will work?

Josh Lewis

EPA/Office of Congressional and Intergovernmental Relations

Exp 4

RS-10-000-1573

Gary C. Peters
MEMBER OF CONGRESS
9TH DISTRICT, MICHIGAN
www.peters.house.gov

Congress of the United States
House of Representatives
Washington, DC 20515

✓
COMMITTEE ON FINANCIAL SERVICES
CAPITAL MARKETS, INSURANCE, AND
GOVERNMENT-SPONSORED ENTERPRISES
INTERNATIONAL MONETARY POLICY AND
TRADE
COMMITTEE ON SCIENCE AND
TECHNOLOGY
TECHNOLOGY AND INNOVATION

January 25, 2010

Bharat Mathur
Acting Regional Administrator
US EPA Region 5
77 W. Jackson Blvd.
Chicago, IL 60604

Re: EPA RFP #OAR-OTA-09-10

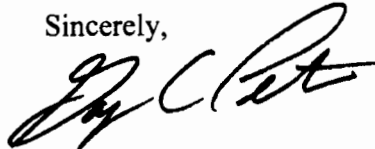
Dear Mr. Mathur,

I am writing in regards to a grant proposal submitted by Rochester Schools on behalf of the Rochester and Avon Schools Coalition under the National Clean Diesel Funding Assistance Program.

This grant award would help reduce school bus idling in the community and around schools and improve the air that our students breathe. In addition, it would reduce fuel consumption by approximately 20,000 gallons of gasoline per year, resulting in significant savings for taxpayers. The grant award would lower the emissions of dangerous emissions, such as fine particulate matter, CO₂, and NO_x. Finally, the proposal has the added benefit of protecting jobs in Oakland County and in other areas of Michigan, as the products utilized by this grant will be installed using U.S. labor and the idle reduction technologies are manufactured and assembled in Michigan. I feel strongly that this award supports our common goal of environmental stewardship and efficient use of tax dollars.

I urge you to give this application your fullest consideration.

Sincerely,



Gary C. Peters
Member of Congress

RECEIVED

JAN 28 2010

U.S. EPA REGION 5
OFFICE OF REGIONAL ADMINISTRATOR

WASHINGTON OFFICE
1130 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-5802
FAX (202) 226-2356

DISTRICT OFFICE
560 KIRTS BLVD
SUITE #105
TROY, MI 48064
(248) 273-4227
FAX (248) 273-4704



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

FEB 03 2010

REPLY TO THE ATTENTION OF:

R-19J

The Honorable Gary C. Peters
House of Representatives
Washington, D.C. 20515

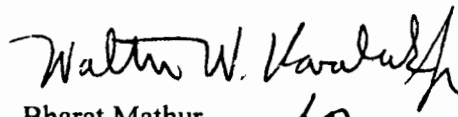
Dear Congressman Peters:

Thank you for your letter dated January 25, 2010, concerning the request for applications under the National Clean Diesel Funding Assistance Program. Your letter expressed support for the grant application submitted by Rochester Schools on behalf of the Rochester and Avon Schools Coalition.

This is a competitive application process to reduce diesel emissions and create and maintain jobs. All applications will be given due consideration with the criteria outlined in the request for applications located at: http://www.epa.gov/air/grants/2009_10_6_final-dera.pdf.

Thank you for your letter and efforts to support clean diesel projects in Michigan. If you have further questions, please contact me or your staff may contact Mary Canavan or Ronna Beckmann, the Region 5 Congressional Liaisons, at (312) 886-3000.

Sincerely,


Bharat Mathur
Acting Regional Administrator

AL-10-002-0323

Congress of the United States
Washington, DC 20515

December 8, 2010

Lisa Jackson, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Ray LaHood, Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Administrator Jackson and Secretary LaHood:

We are writing regarding the Environmental Protection Agency's and the Department of Transportation's proposed redesign of fuel economy labels, as required by the Energy Independence and Security Act (EISA) of 2007.

As you know, the Energy Independence and Security Act of 2007 (EISA) mandated that the DOT issue a rulemaking implementing this law. On September 23, both EPA and DOT issued a notice of proposed rulemaking.

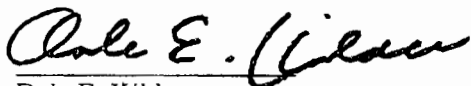
The proposed rule presents two primary label options. Label 1 minimizes miles per gallon (mpg), an objective measure of the fuel economy performance of a vehicle, in favor of a prominently displayed subjective "letter grade". In contrast, Label 2 focuses on the mpg metric and implements the other information Congress required under EISA. Consumers are very familiar with the mpg metric and rely on it when purchasing a new motor vehicle.

Additionally, unlike the mpg metric, the proposed grading system is biased in favor of certain types of vehicles. The "A" and "A+" categories are reserved for a very narrow range of vehicles, i.e., battery electric vehicles and plug-in hybrids. However, a fuel efficient, clean diesel vehicle would be penalized with a low or mediocre grade. Similarly, most fuel efficient SUVs and pickup trucks would rate no higher than a "C+".

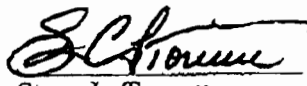
We hope you will agree that it is essential for consumers to have clear and concise information about the fuel economy performance of their vehicle. However, Label 1 marginalizes the most important piece of information on the fuel economy sticker, namely the fuel economy of the vehicle. Moreover, Label 1 unfairly promotes certain vehicles over others.

We believe that Label 2 better serves the needs of the consumer by continuing to prominently display the mpg of the vehicle, and is consistent with the statutory intent of EISA. Although the deadline for public comment has passed, we appreciate your agencies allowing us to submit this letter for the public record.

Sincerely,



Dale E. Kildee
Member of Congress



Steve LaTourette
Member of Congress

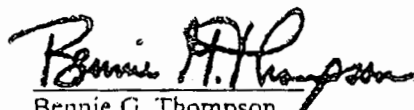
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Greg Walden
Member of Congress



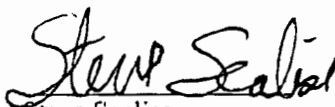
André Carson
Member of Congress



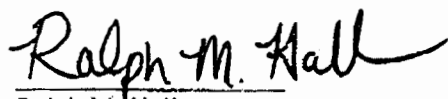
Bennie G. Thompson
Member of Congress



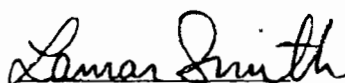
Joseph R. Pitts
Member of Congress



Steve Scalise
Member of Congress



Ralph M. Hall
Member of Congress



Lamar Smith
Member of Congress



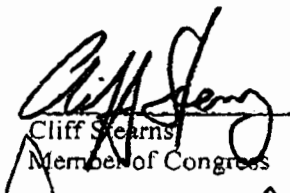
Dan Burton
Member of Congress



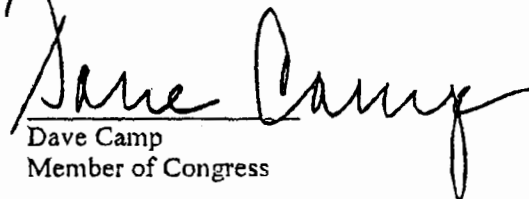
Mary Bono Mack
Member of Congress



Tim Ryan
Member of Congress



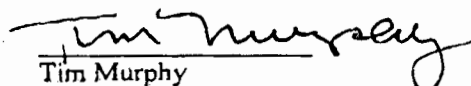
Cliff Stearns
Member of Congress



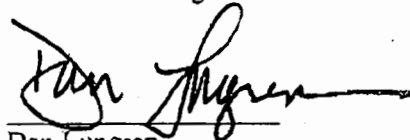
Dave Camp
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Bob Latta
Member of Congress



Tim Murphy
Member of Congress



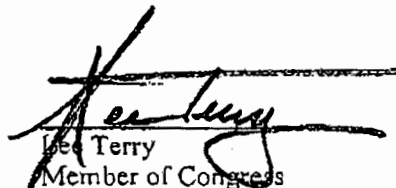
Dan Lungren
Member of Congress



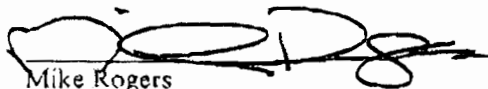
Judy Biggert
Member of Congress



Geoff Davis
Member of Congress



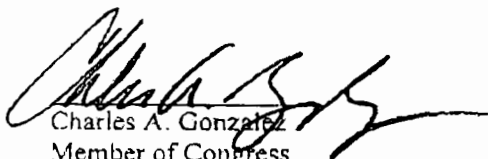
Lee Terry
Member of Congress



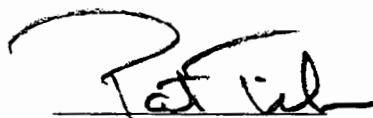
Mike Rogers
Member of Congress



Candice S. Miller
Member of Congress



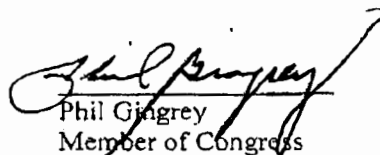
Charles A. Gonzalez
Member of Congress



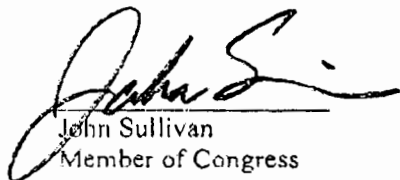
Patrick J. Tiberi
Member of Congress



Brett Guthrie
Member of Congress



Phil Gingrey
Member of Congress



John Sullivan
Member of Congress



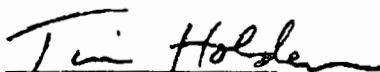
Scott Garrett
Member of Congress



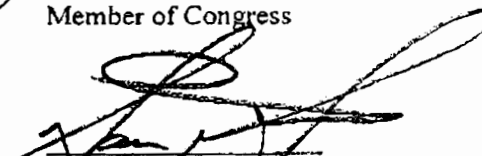
Elton Gallegly
Member of Congress



Jim Matheson
Member of Congress



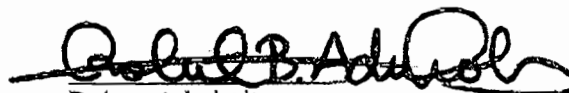
Tim Holden
Member of Congress



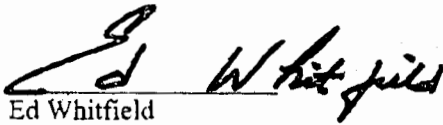
Sam Graves
Member of Congress



Mike Ross
Member of Congress



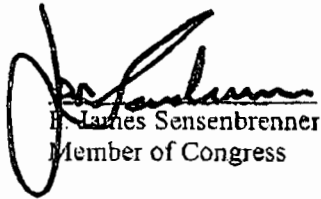
Robert Aderholt
Member of Congress


Ed Whitfield

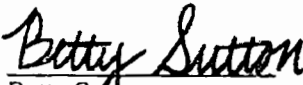
Member of Congress


Spencer Bachus

Member of Congress


James Sensenbrenner

Member of Congress


Betty Sutton

Member of Congress


Donald A. Manzullo

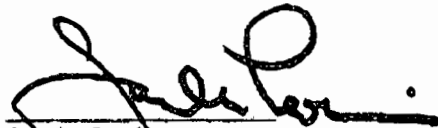
Member of Congress


Todd Akin

Member of Congress


Thaddeus McCotter

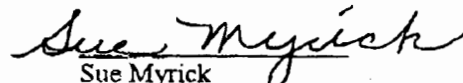
Member of Congress


Sander Levin

Member of Congress


G.K. Butterfield

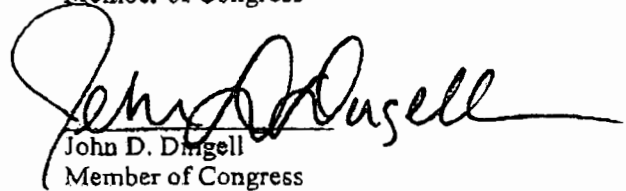
Member of Congress


Sue Myrick

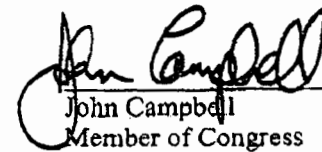
Member of Congress


Gary Evers

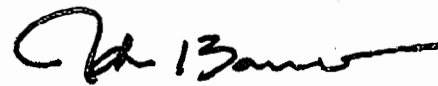
Member of Congress


John D. Dingell

Member of Congress


John Campbell

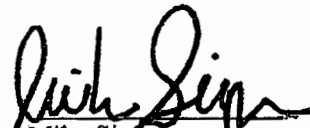
Member of Congress


John Barrow

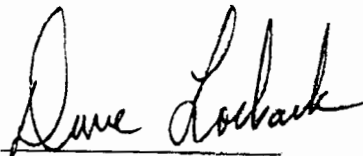
Member of Congress


Marsha Blackburn

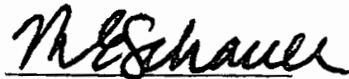
Member of Congress


Mike Simpson


Member of Congress



Dave Loebsack
Member of Congress



Mark Schauer
Member of Congress



Bruce Braley
Member of Congress



The Honorable Gary Peters
U.S. House of Representatives
Washington, DC 20515

JAN 21 2011

Dear Congressman Peters:

Thank you for your letter, cosigned by your congressional colleagues, which provides the U.S. Environmental Protection Agency (EPA) and National Highway Traffic Safety Administration (NHTSA) with comments on the proposed Fuel Economy Label rulemaking. We value your interest in this proposal and have submitted your letter to the rulemaking docket.

We appreciate the concerns you raise regarding the approach to displaying fuel economy and environmental information on the redesigned fuel economy labels. Both EPA and NHTSA are committed to ensuring that the redesigned labels, required under the Energy Independence and Security Act of 2007, provide consumers with the necessary information about the fuel economy, consumption, cost, and environmental impact associated with purchasing new vehicles that will allow consumers to make informed vehicle purchasing decisions. Since the proposal includes adding important new elements to the existing labels, as well as creating new labels for advanced technology vehicles, EPA and NHTSA embarked on a comprehensive research program beginning in the fall of 2009. In addition, the Agencies met with numerous stakeholders and experts to solicit a broad spectrum of views and insights as to how the labels might be revised.


The EPA and NHTSA are committed to broad public participation in the rulemaking. Given the importance of, and public interest in, the proposed new fuel economy labels, we have held two public hearings—in Chicago on October 14, 2010, and in Los Angeles on October 21, 2010, respectively. In addition, we received substantial comments from both private citizens and a broad range of stakeholders that reflect a wide variety of viewpoints. All comments we receive will be carefully considered when finalizing this rulemaking.

A similar response has been sent to each cosigner of your letter. If you have further questions, please contact us. Your staff also may call David McIntosh, Associate Administrator for EPA Congressional and Intergovernmental Relations, at 202-564-0539, or Mr. Ronald L. Medford, NHTSA Deputy Administrator, at 202-366-9700.

Sincerely yours,



Ray LaHood
Secretary
U.S. Department of Transportation



Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency

AL-12-001-2394

Congress of the United States
Washington, DC 20515

July 24, 2012

The Honorable Lisa P. Jackson
Secretary
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Lieutenant General Thomas P. Bostick
Commanding General and Chief of Engineers
United States Army Corps of Engineers
1400 Defense Pentagon
Washington, DC 20301

Dear Secretary Jackson and Lt. Gen. Bostick:

We write to bring to your attention the Binational Ecological Risk Assessment of Bigheaded Carps for the Great Lakes Basin, a peer-reviewed report by American and Canadian scientists with the Department of Fisheries and Oceans Canada.

This report sheds valuable light on the disastrous consequences Bigheaded Carp (Asian Carp) pose to the Great Lakes and warns of the imminence of their irreversible introduction into the Great Lakes. It calls for immediate prevention activities to parallel our ongoing long-term efforts to reduce the probability of introduction into the Great Lakes.

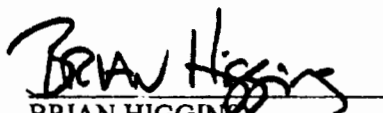
This report identifies the Chicago Area Waterway System as the most likely entry point of the Asian Carp into the Great Lakes. The recent decision by the United States Army Corps of Engineers to accelerate its study of how to prevent the spread of these invasive species between the Great Lakes and Mississippi River watersheds was significant. And, the inclusion of the Stop Invasive Species Act in the transportation authorization bill recently signed into law was also crucial. However, the alarming discovery of six positive eDNA samples for Asian Carp in Lake Erie underscores the need for broader, more aggressive - indeed immediate - action to interrupt this invasion and subsequent ecological consequences.

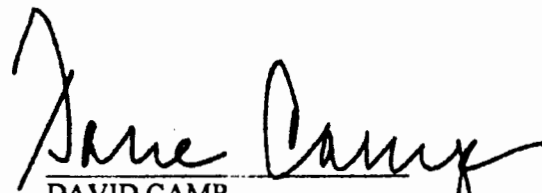
The establishment of the Asian Carp Regional Coordinating Commission, the vast resources the Great Lakes Restoration Initiative has devoted, and works done by non-governmental organizations, the Environmental Protection Agency, the Army Corps of Engineers, and several other federal and state agencies efforts are evidence of the broad recognition of the scope of this threat. Still, this report's conclusions highlight that while all parties realize the size of the threat, they may not grasp the immediacy with which we must act.

As Members of Congress who represent areas within the Great Lakes Basin that rely on its irreplaceable natural resources, we support the findings of this study and strongly urge immediate action to reduce the threat of Asian Carp and its economic, environmental, and ecological consequences.

Thank you for your attention to this matter.

Sincerely,


BRIAN HIGGINS
Member of Congress


DAVID CAMP
Member of Congress

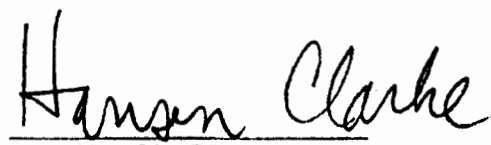

PAUL RYAN
Member of Congress



MIKE QUIGLEY
Member of Congress



KATHLEEN HOCHUL
Member of Congress

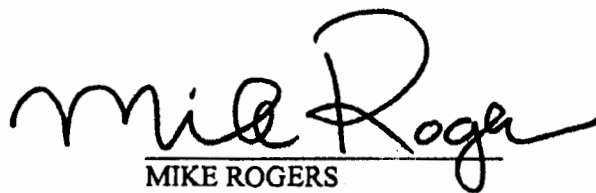

FRED UPTON
Member of Congress

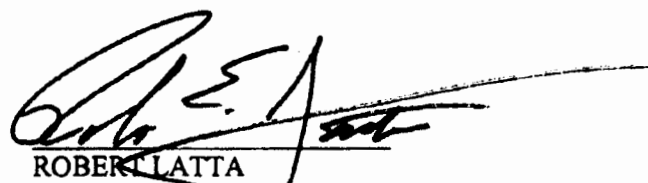

STEVE LATOURETTE
Member of Congress



HANSEN CLARKE
Member of Congress


JOHN CONYERS
Member of Congress



GARY PETERS
Member of Congress



MIKE ROGERS
Member of Congress


ROBERT LATTA
Member of Congress


BETTY SUTTON
Member of Congress


DENNIS KUCINICH
Member of Congress


MARCY KAPTUR
Member of Congress


TIM WALBERG
Member of Congress



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 7 2012

OFFICE OF
THE ADMINISTRATOR

The Honorable Gary Peters
House of Representatives
Washington, D.C. 20515

Dear Congressman Peters:

Thank you for your July 24, 2012 letter sent to Administrator Jackson regarding the threat that Asian carp pose to the Great Lakes. Your letter refers to the Binational Ecological Risk Assessment report recently released by American and Canadian scientists. In addition, you also note the recent sample analysis conducted in Lake Erie that yielded six positive eDNA results for Asian carp.

The Administration—with leadership by the White House Council on Environmental Quality and represented by the U.S. Fish & Wildlife Service, Army Corps of Engineers (USACE), Geological Survey, Environmental Protection Agency and Coast Guard on the Asian Carp Regional Coordinating Committee—takes this issue very seriously and is responding with a commensurate level of focus and attention. Officials are working in an urgent, coordinated manner toward a single goal—to prevent Asian carp from establishing a self-sustaining population in the Great Lakes.

Continued Great Lakes Restoration Initiative and agency base funding for local, state, and federal partners involved in this effort is supporting efforts to prevent Asian carp from migrating upstream of the U.S. Army Corps of Engineers' electric barriers. To this end, we have initiated a variety of projects described in the Asian Carp Control Strategy Framework ("Framework"). The Framework presents a multi-tiered strategy to combat the spread of Asian carp into the Great Lakes and to ensure coordination and the most effective response across all levels of government. It represents a comprehensive Asian carp prevention plan that includes chemical, structural, monitoring, biological, management and operational strategies. The unified response conducted on behalf of the state and federal partnership is focused, intensive, and ongoing. The Framework complements the broader national approach to the management and control of Asian carp as presented in the Management and Control Plan for Bighead, Black, Grass, and Silver Carps in the United States (National Carp Plan), approved by the National Aquatic Nuisance Species Task Force in November 2007.

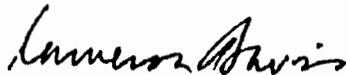
As referenced in the Framework, the USACE is conducting the congressionally-authorized Great Lakes Mississippi River Interbasin Study (WRDA 2007, Section 3061, PL 110-114). The study will identify hydrologic connections between the Great Lakes and Mississippi River basins and analyze options and technologies to reduce the risk of the full range of potential aquatic invasive species movement, including Asian carp, between them. The study will initially focus on the risk of invasive species moving through the Chicago Area Waterway System and will consider

the potential for hydrologic separation of the Mississippi River and Great Lakes basins, including the need for permanent lock closure which would require Congressional action. USACE has agreed to accelerate this study and has committed to provide an abbreviated list of potential alternatives to Congress by September 2013.

We are deeply committed to reducing and eliminating the risk of migration of Asian carp into the Great Lakes and are doing everything within our authorities toward this end. Simultaneously, we are mindful of other concerns such as navigation issues, storm water management, and public safety concerns, and remain committed to addressing the concerns of all partners and stakeholders when planning for and acting upon our decisions. We believe that this collaboration—funded, staffed, and coordinated at levels unprecedented in the nation's history of fighting invasive species—provides the best defense to the threat posed by Asian carp to the Great Lakes. We look forward to working with you as these efforts continue.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Denise Gawlinski or Ronna Beckmann, the Region 5 Congressional Liaisons, at (312) 886-3000.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cameron Davis".

Cameron Davis
Senior Advisor to the Administrator (Great Lakes)

HL-09-001-9734



THE NORTHEAST-MIDWEST CONGRESSIONAL COALITION
GREAT LAKES TASK FORCE

December 17, 2009

The Honorable Jo-Ellen Darcy
Assistant Secretary of the Army, Civil Works
U.S. Department of the Army
108 Army Pentagon, Room 3E446
Washington, DC 20310-0108

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Admiral Thad W. Allen
Commandant
United States Coast Guard
2100 Second St., S.W.
Washington, DC 20593

The Honorable Sam D. Hamilton
Director
U.S. Fish & Wildlife Service
1849 C Street, NW
Washington, DC 20240

Dear Secretary Darcy, Administrator Jackson, Admiral Allen, and Director Hamilton:

We are writing today to emphasize the urgency for keeping the Asian carp out of the Great Lakes. Recently, testing has found genetic material from Asian carp above the electric dispersal barrier in the Chicago Sanitary and Shipping Canal. We urge all of your agencies to work cooperatively and expeditiously to prevent the carp from entering the Great Lakes.

Specifically, we urge your agencies to immediately consider:

- Implementing the recommendations of the Asian Carp Rapid Response Project. This project is a federal/non-federal partnership of leading experts.
- Closing the O'Brien and Chicago Locks if there is reasonable likelihood that Asian carp are above the barrier.
- Continuing the use of piscicides as a rapid response measure.
- Creating a permanent hydrological separation between the Great Lakes and the Canal.
- Increasing the voltage of the electric dispersal barrier to prevent Asian carp of any size from crossing the barrier.
- Drafting and approving the planned interim reports as part of the Efficacy Study, which was authorized under section 3061 of WRDA 2007, in order for the Corps of Engineers to take action to prevent Asian carp from bypassing the existing electric dispersal barrier project in the Chicago Sanitary and Ship Canal.

In addition to finding positive eDNA in the Canal, genetic material was also found in the Des Plaines River, north of the electric dispersal barrier. Given the risk that the carp could bypass the barrier if the Des Plaines River were to flood, Congress provided the Corps with additional authority in the Fiscal Year 2010 Energy and Water Appropriations bill to prevent this from happening. We understand that work on this report is on-going, and it is urgent that an interim report be finalized soon.

Finally, we encourage you to carefully consider your Fiscal Year 2011 budget needs for the barrier project and Asian carp efforts. Over the life of the barrier project, Congress has had to provide new authority and new funding on multiple occasions, and a comprehensive, planned approach would be more effective.

There may be no greater threat to the ecosystem of the Great Lakes than the introduction of the Asian carp, and we must do all that we can to prevent this from happening. We appreciate your attention to this urgent matter and look forward to your response.

Sincerely,



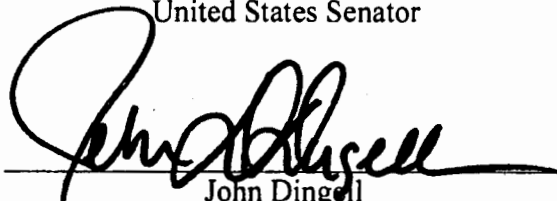
George V. Voinovich
United States Senator



Carl Levin
United States Senator



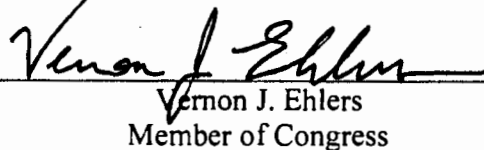
Mark Kirk
Member of Congress



John Dingell
Member of Congress



Louise M. Slaughter
Member of Congress



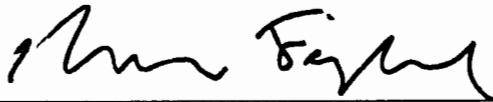
Vernon J. Ehlers
Member of Congress



Debbie Stabenow
United States Senator



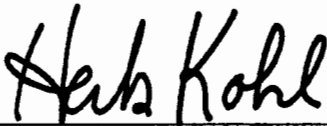
Sherrod Brown
United States Senator



Russell Feingold
United States Senator



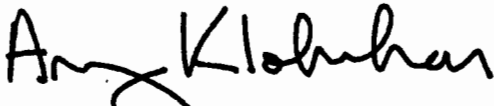
Robert Casey, Jr.
United States Senator



Herb Kohl
United States Senator




Roland Burris
United States Senator



Amy Klobuchar
United States Senator



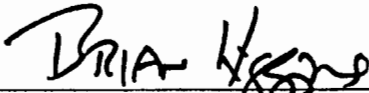
Al Franken
United States Senator



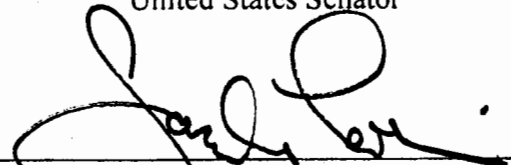
Charles Schumer
United States Senator




Kristen E. Gillibrand
United States Senator




Brian Higgins
Member of Congress



Sander Levin
Member of Congress



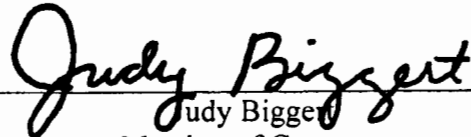
Gwen Moore
Member of Congress



Marcy Kaptur
Member of Congress



Gary Peters
Member of Congress



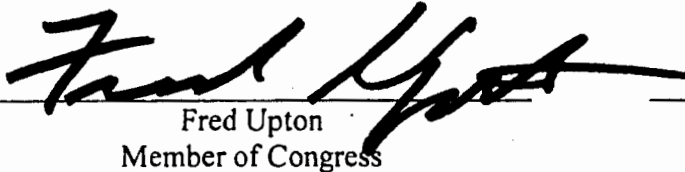
Judy Biggert
Member of Congress



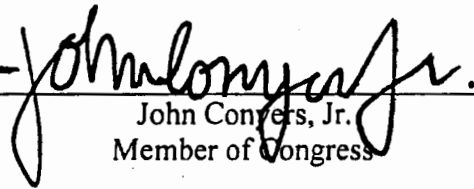
Betty Sutton
Member of Congress



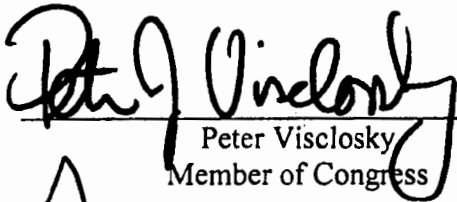
Mike Quigley
Member of Congress




Fred Upton
Member of Congress



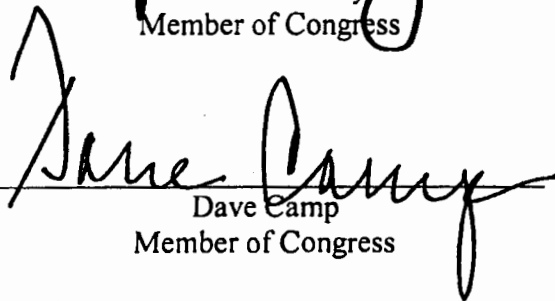
John Conyers, Jr.
Member of Congress



Peter Visclosky
Member of Congress



Candice Miller
Member of Congress



Dave Camp
Member of Congress



Mike Rogers
Member of Congress



Tammy Baldwin
Member of Congress



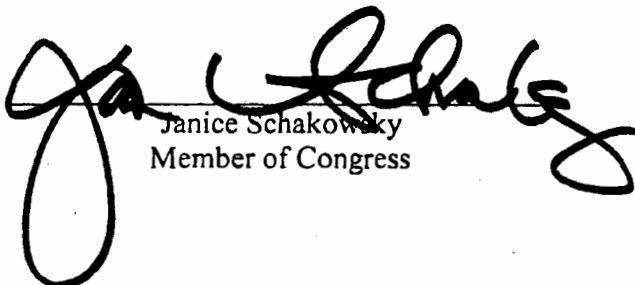
Dale Kildee
Member of Congress



Steven LaTourette
Member of Congress



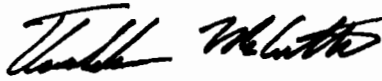
Kathy Dahlkemper
Member of Congress



Janice Schakowsky
Member of Congress



Mark Schauer
Member of Congress



Thaddeus McCotter
Member of Congress



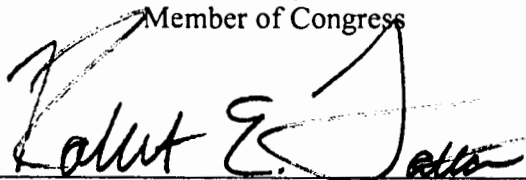
Pete Hoekstra
Member of Congress



Tim Ryan
Member of Congress



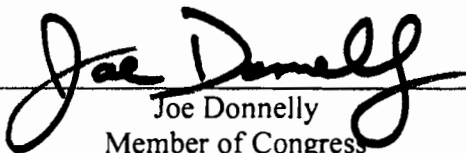
Bart Stupak
Member of Congress



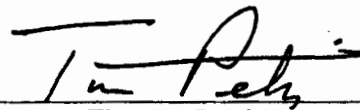
Robert Latta
Member of Congress



Charles Wilson
Member of Congress



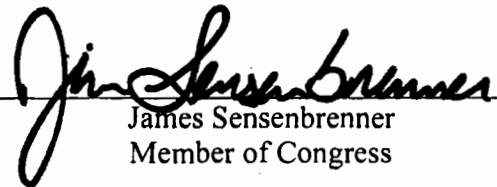
Joe Donnelly
Member of Congress



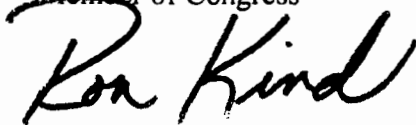
Thomas Petri
Member of Congress



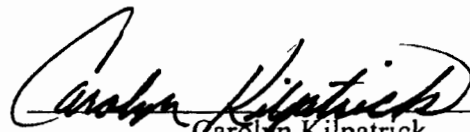
Steve Kagen
Member of Congress



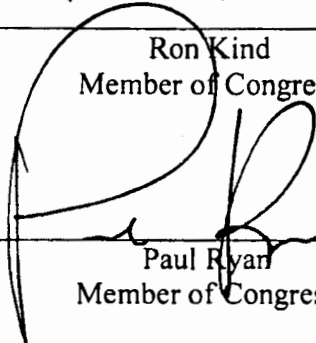
James Sensenbrenner
Member of Congress



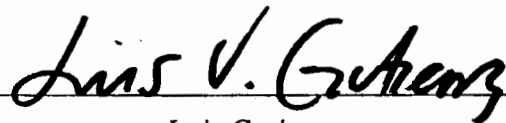
Ron Kind
Member of Congress



Carolyn Kilpatrick
Member of Congress



Paul Ryan
Member of Congress



Luis Gutierrez
Member of Congress

AL-10-000-1357

Congress of the United States
Washington, DC 20515

January 22, 2010

The Honorable Jo-Ellen Darcy
Assistant Secretary of the Army, Civil Works
U.S. Department of the Army
108 Army Pentagon, Room 3E446
Washington, DC 20310-0108

Admiral Thad W. Allen
Commandant
United States Coast Guard
2100 Second St., S.W.
Washington, DC 20593

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

The Honorable Sam Hamilton
Director
U.S. Fish and Wildlife Agency
1849 C Street, NW
Washington, DC 20240

Dear Secretary Darcy, Administrator Jackson, Admiral Allen, and Director Hamilton:

It is with great concern we write to you today. As you know, the Asian carp poses one of the most serious threats to the Great Lakes to date. Should the carp get into the Lakes, the ecological and economical damage would be devastating.

We understand that the U.S. Army Corps of Engineers, the Environmental Protection Agency, Fish and Wildlife Service and the Coast Guard have been working hand in hand to address the carp as a result of recent positive environmental DNA (eDNA) detection and we applaud those efforts. However, we are very alarmed at the length of time it is taking to formulate a comprehensive response plan. The first positive detection of eDNA above the electric dispersal barrier was in November 2009, with subsequent positive detections. We are also dismayed at recent comments made to the media that several hundred carp would need to be detected before the federal agencies would change their current plan of dealing with this invasive species.

The threat of the carp has been evident for many years and it is not going away. As such, we request that the completed comprehensive response plan be submitted to members of the Michigan delegation no later than close of business, Friday, February 5th. Please include in that plan any additional authorities necessary to address the carp in a comprehensive manner.

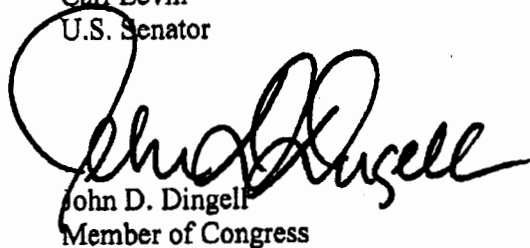
We know you understand the urgency of the threat to the Great Lakes and look forward to continuing to work with you in a constructive manner. Should you have any questions and to submit the comprehensive plan, please contact Joy Mulinex at Joy_Mulinex@levin.senate.gov.



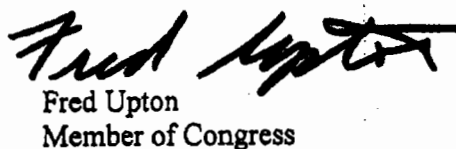
Carl Levin
U.S. Senator



Debbie Stabenow
U.S. Senator



John D. Dingell
Member of Congress



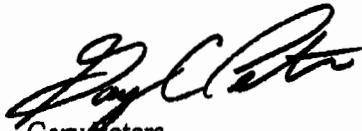
Fred Upton
Member of Congress



Vern Ehlers
Member of Congress



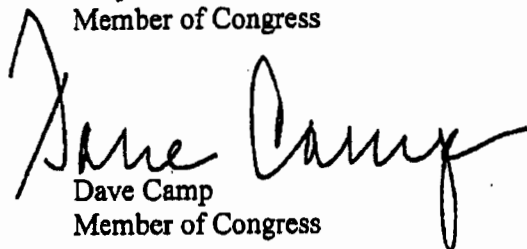
Dale Kildee
Member of Congress



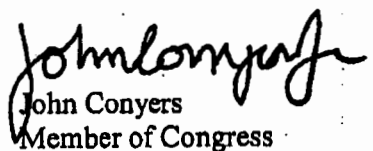
Gary Peters
Member of Congress



Mark Schauer
Member of Congress



Dave Camp
Member of Congress



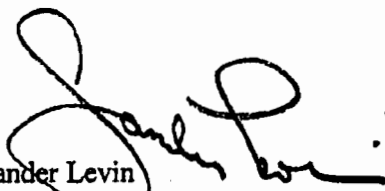
John Conyers
Member of Congress




Bart Stupak
Member of Congress



Candace Miller
Member of Congress



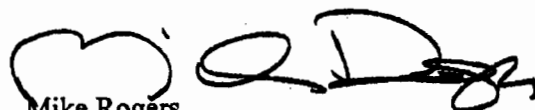
Sander Levin
Member of Congress



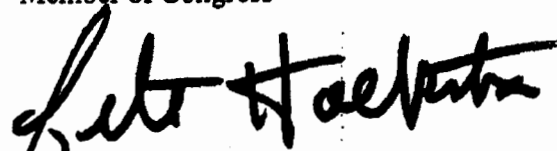
Thaddeus McCotter
Member of Congress



Carolyn Cheeks Kilpatrick
Member of Congress



Mike Rogers
Member of Congress



Peter Hoekstra
Member of Congress



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
GREAT LAKES NATIONAL PROGRAM OFFICE
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

FEB 05 2010

Mail Code: R-19J

The Honorable Gary Peters
House of Representatives
1130 Longworth Building
Washington DC 20515

Dear Congressman Peters:

On behalf of the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service, thank you for your letter dated January 22, 2010, stating your concern with the timely development of a comprehensive response plan for preventing the introduction of Asian carp in the Great Lakes.

As you are aware, the coordinating state, federal and local agencies recently conducted a successful rapid response operation in support of the scheduled required maintenance of the dispersal barrier in the Chicago Sanitary and Ship Canal. The operation demonstrated the clear commitment of numerous organizations at all levels of government to coordinate Asian carp prevention and control efforts. Building upon this successful model of interagency cooperation, we are enhancing our investment in this important effort to prevent Asian carp from entering the Great Lakes. Additional resources, such as those provided through the Great Lakes Restoration Initiative, are being utilized to support these collective efforts.

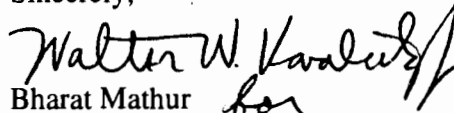
We are promptly developing a short- and long-term, comprehensive Asian carp prevention plan with our partners to address the concerns of the Michigan Congressional Delegation. The comprehensive strategy and control framework includes diverse actions such as chemical treatments, structural solutions, enhanced detection systems and research for biological solutions, and management and operations approaches.

The State and Federal agencies currently working to address the challenge of preventing the introduction of Asian carp in the Great Lakes take this responsibility very seriously, and treat the detection and capture of even a single specimen with the utmost importance. We acknowledge the variables related to the population dynamics and habitat requirements of Asian carp provide many uncertainties as to their potential to successfully establish self-sustaining populations in the Great Lakes. However, we can assure you that the unified response conducted on behalf of the State and Federal partnership will be focused, intensive and ongoing. This effort will be implemented with the singular goal of preventing Asian carp species from accessing and gaining a foothold in this critically important watershed.

We are deeply committed to reducing and eliminating the risk of unintentional migration of Asian carp into the Great Lakes and are doing everything within our authorities toward this end. Simultaneously, we are mindful of other concerns such as navigation issues, storm water management, and public safety concerns, and remain committed to addressing the concerns of all partners and stakeholders when planning for and acting upon our decisions.

Again, thank you for your letter. We look forward to working with you and your staff to ensure that the development and implementation of the framework is effective. If you have any questions or need additional information, please do not hesitate to contact me directly. Additionally, your staff may contact Ms. Mary Canavan or Ms. Ronna Beckmann, of the EPA Region 5 Congressional Liaison Office, at (312) 886-3000.

Sincerely,


Bharat Mathur *for*
Acting Regional Administrator

AL-13-080-1425

Congress of the United States

Washington, DC 20510

January 23, 2013

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Administration
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Jackson,

We write to express our support for the Detroit Brownfield Redevelopment Authority's (DBRA) application for an Area Wide Planning Grant to redevelop brownfield sites around Detroit's historic Eastern Market.

Eastern Market is an open air, fresh food market that attracts some 40,000 people every weekend. It is one of Detroit's greatest assets and the hub of the region's fresh food economy, housing a growing cluster of approximately 80 food-related businesses. Unfortunately, there are several brownfield sites with abandoned structures that pose safety risks and hold back broader redevelopment.

This grant will allow the DBRA and the Eastern Market Corporation to use Eastern Market as a starting point for revitalizing the district, creating new opportunities and improved conditions for existing residents while attracting new investment and development.


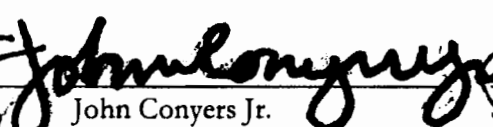
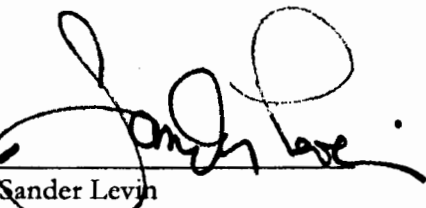
The continued enhancement of Eastern Market will provide greater opportunities for area-wide redevelopment and community improvement in Detroit. As you know, the need to transform blighted areas in Detroit into economically viable communities is of the greatest urgency, and we urge your support for this important proposal.

Sincerely,

Debbie Stabenow
United States Senator

Carl Levin
United States Senator

Gary C. Peters
Member of Congress

John Conyers Jr.
Member of Congress

Sander Levin
Member of Congress



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

FEB 13 2013

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

The Honorable Gary Peters
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Peters:

Thank you for your letter of January 23, 2013, supporting the proposal submission from the Detroit Brownfield Redevelopment Authority (DBRA) to the Brownfields Area-Wide Planning (AWP) Program. I appreciate your interest in this program and your support of DBRA's proposal.

As you know, the Small Business Liability Relief and Brownfields Revitalization Act assists communities in their efforts to revitalize and reclaim brownfields sites. Under the pilot AWP program the EPA awarded twenty-three grants to communities across the country. This pilot program demonstrated how planning for the reuse of brownfields sites can be effective when done in conjunction with creating supportive area-wide revitalization and implementation strategies. Developing an area-wide plan helps guide the clean up and reuse of key brownfield sites, which can bring about improved environmental and socioeconomic conditions within local communities.

The EPA's selection criteria for proposals are available in the *Request for Proposals for Brownfields Area-Wide Planning Grants* (September 2012), posted on our web site at www.epa.gov/brownfields/areawide_grants.htm. Each proposal will be carefully reviewed and evaluated by a selection panel that will apply these objective criteria in this highly competitive program. Please be assured that the proposal from the DBRA will be given every consideration.

Again, thank you for your letter. If you have further questions, please contact me or your staff may call Raquel Snyder, in EPA's Office of Congressional and Intergovernmental Relations, at (202) 564-9586.

Sincerely,

A handwritten signature in black ink that reads "Mathy Stanislaus". The signature is written in a cursive, flowing style.

Mathy Stanislaus
Assistant Administrator

AL-13-000-6456

Congress of the United States

Washington, DC 20515

June 17, 2013

Administrator Robert Perciasepe
Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460-0001

Dear Administrator Perciasepe:

We are seeking clarification regarding the Environmental Protection Agency's (EPA) New Source Performance Standard (NSPS), Subpart UUU (40CFR, Part 60) for Calciners and Dryers in Mineral Processing Industries and recent enforcement actions against U.S. foundries. Specifically, we are concerned about why: a) EPA is enforcing the provisions of Subpart UUU against foundries when it never intended to include these type of facilities as a source category since metalcasting is not a mineral processing industry; and, b) why EPA has failed to promulgate an exemption for foundries from NSPS, Subpart UUU consistent with the original intent of the rule.

It is our understanding that it was not the EPA's intention to subject the foundry industry to this NSPS rule as metal casting is a separate industry from the mineral processors that Subpart UUU was intended to regulate. Furthermore, the original NSPS, Subpart UUU rule which was finalized in September 1992, did not list foundries as an affected industry nor did it designate applicable foundry Standard Industrial Classification (SIC) codes.

On April 22, 2008 (73 Fed. Reg. 21559), EPA proposed a regulation to specifically exempt foundries from the requirements of Subpart UUU (in part because the Agency never intended to cover foundries). The proposed regulatory language that EPA agreed to stated that, "processes used solely for the reclamation and reuse of industrial sand from metal foundries" shall be exempt from the requirements of Subpart UUU in the final rule. In April 2009 (74 Fed. Reg. 19294), EPA issued the final rule for Subpart OOO and noted in the preamble that it was not taking final action on the proposed revisions to Subpart UUU. It is our understanding that in subsequent discussions with EPA officials following the decision to take no final action on the exemption for foundries, EPA enforcement officials agreed that the Agency would not initiate enforcement actions against foundries for Subpart UUU requirements and would address the issue with individual facilities at the time of permit renewal.

In addition, EPA regions across the country have taken inconsistent positions on whether Subpart UUU should apply to foundry sand reclamation and reuse processes at foundries. Recently EPA Region V has initiated enforcement actions against foundries that included violations of Subpart UUU requirements. Although the recent enforcement actions are currently limited in geographic

scope to this region, we have significant concerns that enforcement efforts will be expanded to other areas in the country. As the EPA originally intended to exempt foundries from this regulation, we believe this new enforcement action is misguided.

EPA's recent efforts to impose Subpart UUU requirements on units used solely for the reclamation and reuse of industrial sand from foundries creates an unnecessary regulatory burden, uncertainty and increased costs for foundries. EPA Region V has initiated enforcement actions, even though the record is clear that Subpart UUU should not apply to foundries. By way of background, foundries are essential to the U.S. economy. Every sector relies on metal castings, with 90 percent of all manufactured goods and capital equipment incorporating engineered castings into their makeup. They produce castings that are integral to the automotive, construction, energy, aerospace, agriculture, plumbing, manufacturing, and national defense sectors. The American foundry industry provides employment for over 200,000 men and women directly and sustains thousands of other jobs indirectly. The industry supports a payroll of more than \$8 billion and sales of more than \$36 billion annually. Metalcasting plants are found in every state, and the industry is made up of predominately small businesses. Approximately 80 percent of domestic metalcasters have fewer than 100 employees.

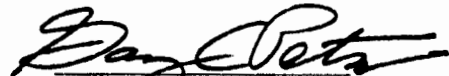
Foundries utilize millions of tons of sand each year – these processing units serve to reclaim and reuse the sand. This process should be encouraged because they provide significant environmental benefits. Additionally, sand systems at foundries are already controlled by other air regulations.

It is clear to us that EPA's original rule did not intend for foundries to have to comply with NSPS, Subpart UUU. Consistent with its original intent of Subpart UUU, EPA must finalize a regulation to exempt foundries from the applicability of this regulation. Please provide a detailed explanation of how and when EPA plans to promulgate an exemption for foundries from NSPS, Subpart UUU. We appreciate your attention to this matter and look forward to your timely response.

Sincerely,



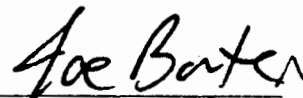
Chuck Fleischmann
Member of Congress



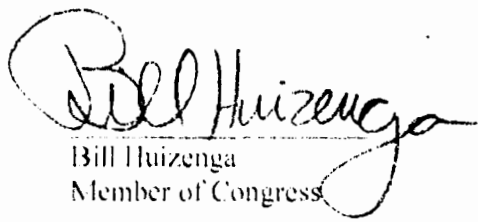
Gary Peters
Member of Congress

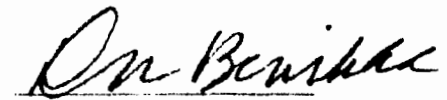



Phil Roe
Member of Congress




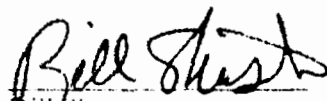
Joe Barton
Member of Congress

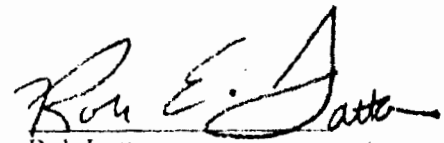

Bill Huizenga
Member of Congress

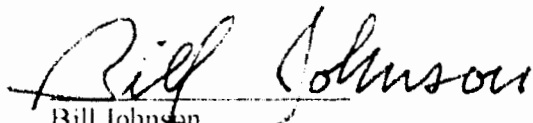

Dan Benishek
Member of Congress


Paul Broun
Member of Congress



Lou Barletta
Member of Congress

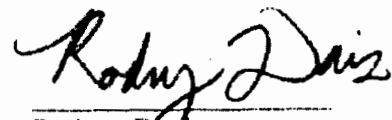

Bill Shuster
Member of Congress



Bob Latta
Member of Congress

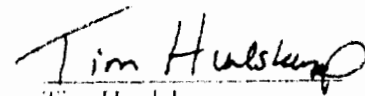

Bill Johnson
Member of Congress

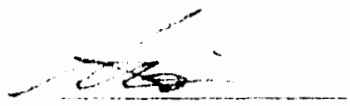

Hal Rogers
Member of Congress

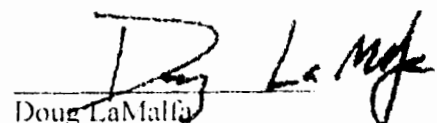

John Culberson
Member of Congress


Rodney Davis
Member of Congress


Cynthia Lummis
Member of Congress


Tim Huelskamp
Member of Congress


Andy Harris
Member of Congress


Doug LaMalfa
Member of Congress

Ralph M. Hall

Ralph Hall
Member of Congress

Larry Budshon

Larry Budshon
Member of Congress

Reid Ribble

Reid Ribble
Member of Congress

David Loebsack

David Loebsack
Member of Congress

Mario Diaz-Balart

Mario Diaz-Balart
Member of Congress

Robert Aderholt

Robert Aderholt
Member of Congress

Marsha Blackburn

Marsha Blackburn
Member of Congress

Lynn Westmoreland

Lynn Westmoreland
Member of Congress

Scott Perry

Scott Perry
Member of Congress

Jim Jordan

Jim Jordan
Member of Congress

Scott DesJarlais

Scott DesJarlais
Member of Congress

Gregg Harper

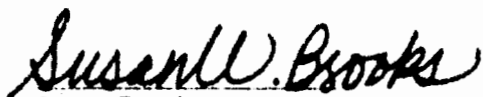
Gregg Harper
Member of Congress

Tom Graves

Tom Graves
Member of Congress

Tom Cole

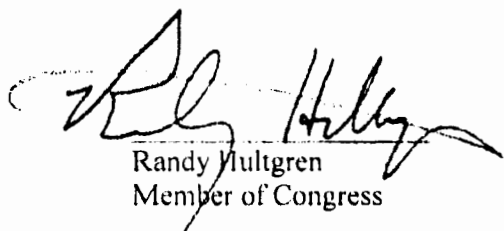
Tom Cole
Member of Congress



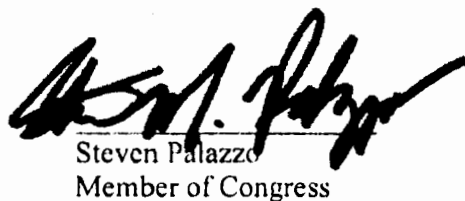
Susan Brooks
Member of Congress



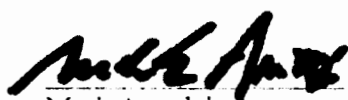
Jackie Walorski
Member of Congress



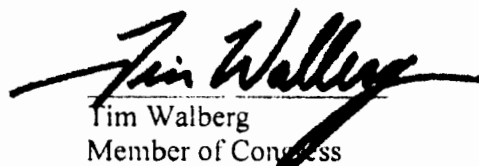
Randy Hultgren
Member of Congress



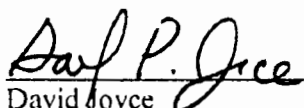
Steven Palazzo
Member of Congress



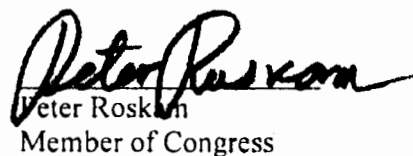
Mark Amodei
Member of Congress



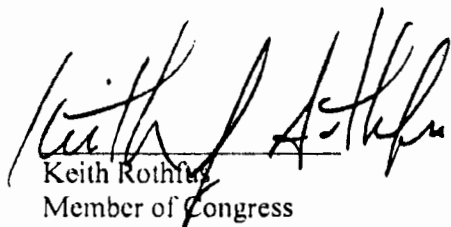
Tim Walberg
Member of Congress



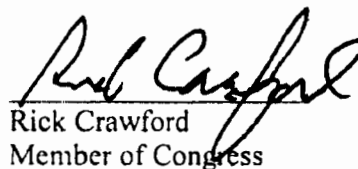
David Joyce
Member of Congress



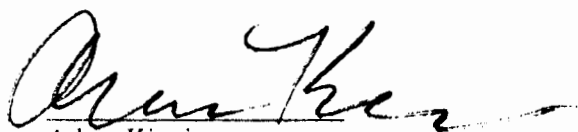
Peter Roskam
Member of Congress



Keith Rothfus
Member of Congress



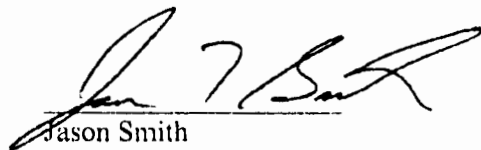
Rick Crawford
Member of Congress



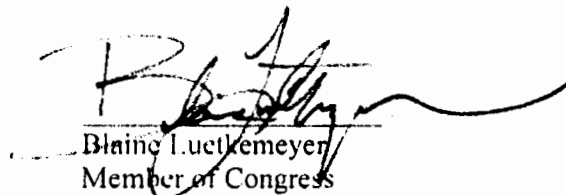
Adam Kinzinger
Member of Congress




Billy Long
Member of Congress

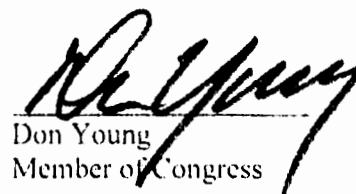


Jason Smith
Member of Congress

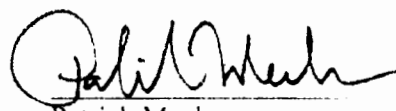


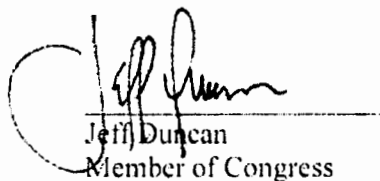
Blaine Luetkemeyer
Member of Congress



Jim Matheson
Member of Congress

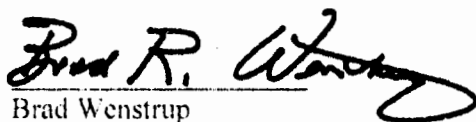

Don Young
Member of Congress

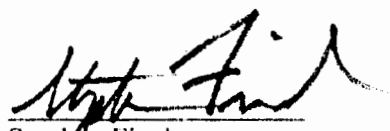

Member of Congress

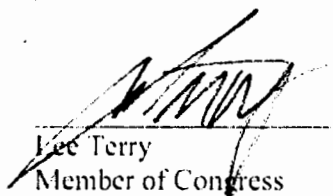

Patrick Meehan
Member of Congress

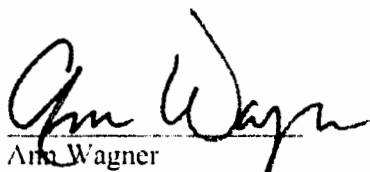

Jeff Duncan
Member of Congress

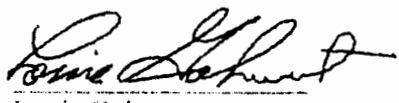

Pat Tiberi
Member of Congress

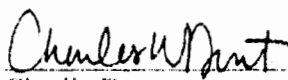

Brad Wenstrup
Member of Congress



Stephen Fincher
Member of Congress

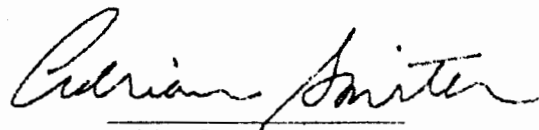

Lee Terry
Member of Congress

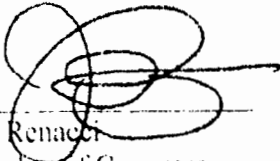

Ann Wagner
Member of Congress


Louie Gohmert
Member of Congress

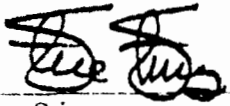

Charlie Dent
Member of Congress


Shelley Moore Capito
Member of Congress

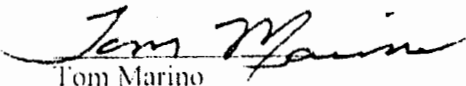

Adrian Smith
Member of Congress



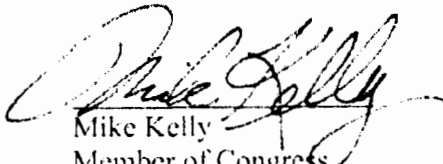
Jim Renacci
Member of Congress



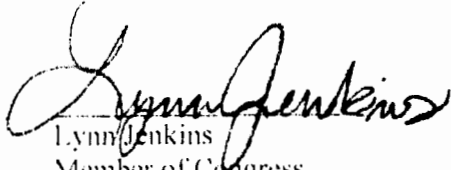
Steve Stivers
Member of Congress



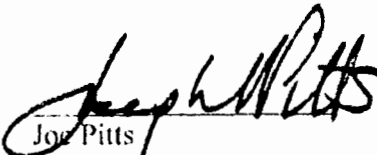
Tom Marino
Member of Congress



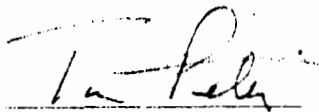
Mike Kelly
Member of Congress



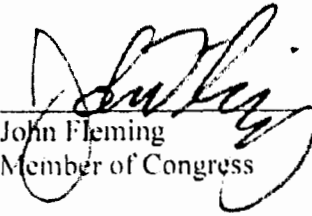
Lynn Jenkins
Member of Congress



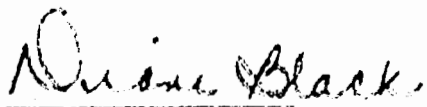
Joe Pitts
Member of Congress



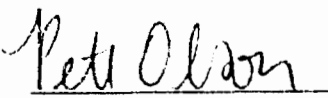
Tom Petri
Member of Congress



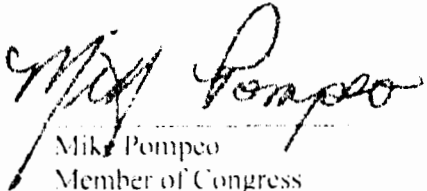
John Fleming
Member of Congress



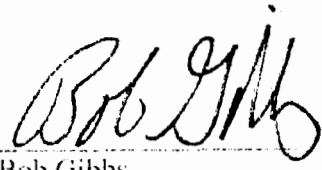
Diane Black
Member of Congress




Pete Olson
Member of Congress



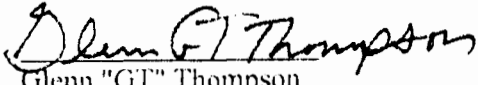
Mike Pompeo
Member of Congress



Bob Gibbs
Member of Congress



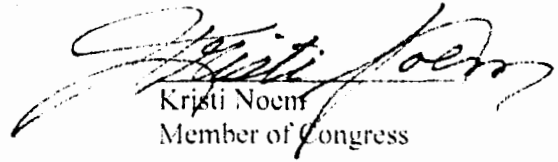
Michael Turner
Member of Congress



Glenn "GT" Thompson
Member of Congress



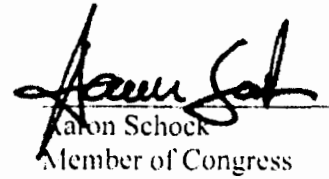
Vern Buchanan
Member of Congress



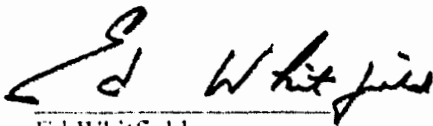
Kristi Noem
Member of Congress



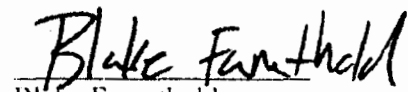
Steve Chabot
Member of Congress



Aaron Schock
Member of Congress



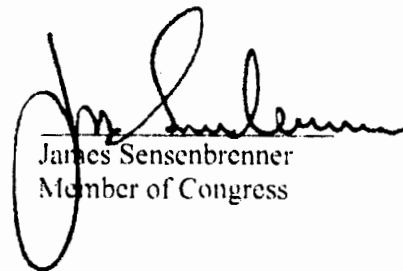
Ed Whitfield
Member of Congress



Blake Farenthold
Member of Congress



Sean Duffy
Member of Congress



James Sensenbrenner
Member of Congress



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 21 2013

ASSISTANT ADMINISTRATOR
FOR ENFORCEMENT AND
COMPLIANCE ASSURANCE

The Honorable Gary Peters
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Peters:

Thank you for your June 17, 2013, letter to the U.S. Environmental Protection Agency regarding the Clean Air Act (CAA) New Source Performance Standards (NSPS) for Calciners and Dryers in the Mineral Processing Industries (40 CFR, Part 60), and the application of these standards to certain foundry operations. I welcome the opportunity to explain how the EPA addresses probable violations of the NSPS.

By way of background, the NSPS Subpart UUU applies to any facility which processes "industrial sand" in "calciners and dryers." As early as 1986, the EPA stated in the preamble to the Notice of Proposed Rulemaking that the rule "... would apply to new, modified, and reconstructed calciners and dryers at mineral processing plants." In both the proposed and the final rules, the EPA defined a mineral processing plant as "... any facility that processes or produces any of the following minerals" In the preamble and in the final rule, the EPA listed "industrial sand" as one of the listed minerals, and broadly defined the affected facility, "dryer," as "... the equipment used to remove uncombined (free) water from mineral material through direct or indirect heating." As a result, where foundries process the listed mineral "industrial sand," they meet the definition of "mineral processing plant," and the "calciners and dryers" that are used by these foundries to process the industrial sand are subject to NSPS Subpart UUU.

The National Industrial Sand Association confirms, on its website, that foundries are one of the primary users of the listed mineral industrial sand, stating that "... [i]ndustrial sand is an essential part of the ferrous and non-ferrous foundry industry." The Association goes on to further state that "... core sand can be thermally or mechanically recycled"

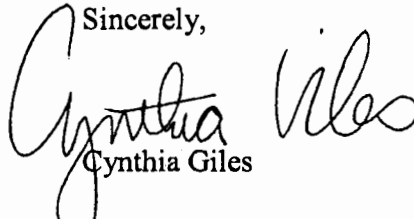
In April 2008, as part of the EPA's proposed amendments to the NSPS for Nonmetallic Mineral Processing Plants (Subpart OOO), we requested public comment on the applicability of Subpart UUU to sand and reclamation processes at metal foundries. The addition of this language in the Subpart OOO proposal coincided with inquiries regarding this issue by foundry industry representatives at that time. After further consideration, the EPA determined, for the reasons discussed above, that our prior interpretation that Subpart UUU applied to calciners and dryers processing industrial sand at foundries was correct. In addition, it was also determined that Subpart OOO was not the appropriate vehicle to take action on this matter because that Subpart dealt with a different industry sector.

Consequently, the EPA decided at that time that no further action to amend Subpart UUU, or otherwise change its applicability criteria, was necessary or appropriate. Should the agency decide to re-evaluate the applicability of this rule, it would generally do so under Section 111(b)(1)(B) of the CAA, which authorizes the agency to revise the NSPS from time-to-time. Subpart UUU is not currently scheduled for review under Section 111(b)(1)(B) of the CAA.

Based on the above rationale, the EPA is currently taking enforcement action in the EPA Region 5 for identified violations of NSPS Subpart UUU at subject foundries. There are 138 iron and steel foundries in Region 5. In the last two years, Region 5 has conducted compliance evaluations at 39 of these foundries and, thus far, has found 11 to be in violation of the Clean Air Act; only 3 of the 11 cases included violations of Subpart UUU. To remedy the currently identified Subpart UUU violations, the 3 affected facilities have agreed to conduct some additional testing. Thus far, no penalties have been assessed for the NSPS Subpart UUU violations.

Again, thank you for your letter. If you have further questions, please contact me, or your staff may call Pamela Janifer in the EPA Office of Congressional and Intergovernmental Relations at (202) 564-6969.

Sincerely,



Cynthia Giles

AL- 11-001-9525

**THE WHITE HOUSE OFFICE
REFERRAL**

November 16, 2011

TO: ENVIRONMENTAL PROTECTION AGENCY

ACTION COMMENTS:

ACTION REQUESTED: APPROPRIATE ACTION

REFERRAL COMMENTS:

DESCRIPTION OF INCOMING:

ID: 1069249

MEDIA: LETTER

DOCUMENT DATE: November 15, 2011

TO: PRESIDENT OBAMA

FROM: THE HONORABLE EDWARD MARKEY
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515

SUBJECT: COMMEND THE PRESIDENT FOR BRINGING CERTAINTY TO FUEL ECONOMY
AND TAILPIPE EMISSION STANDARDS FOR MODEL YEARS 2017-25 CARS AND
LIGHT TRUCKS TO 54.5 MILES PER GALLON

COMMENTS:

**PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN TAKEN WITHIN 9 WORKING DAYS OF RECEIPT,
UNLESS OTHERWISE STATED, PLEASE TELEPHONE THE UNDERSIGNED AT (202) 456-2590.**

**RETURN ORIGINAL CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE (OR DRAFT) TO: DOCUMENT TRACKING UNIT,
ROOM 85, OFFICE OF RECORDS MANAGEMENT - THE WHITE HOUSE, 20500
FAX A COPY OF RESPONSE TO: (202) 456-5581**

**THE WHITE HOUSE
DOCUMENT MANAGEMENT AND
TRACKING WORKSHEET**



DATE RECEIVED: November 17, 2011

CASE ID: 1069249

NAME OF CORRESPONDENT: THE HONORABLE EDWARD MARKEY

SUBJECT: COMMEND THE PRESIDENT FOR BRINGING CERTAINTY TO FUEL ECONOMY AND
TAILPIPE EMISSION STANDARDS FOR MODEL YEARS 2017-25 CARS AND LIGHT TRUCKS
TO 54.5 MILES PER GALLON

ROUTE TO: AGENCY/OFFICE	(STAFF NAME)	ACTION		DISPOSITION	
		CODE	DATE	TYPE RESPONSE	CODE
LEGISLATIVE AFFAIRS	ROB NABORS	ORG	11/16/2011		
ACTION COMMENTS:					
ENVIRONMENTAL PROTECTION AGENCY		A	11/16/2011		
ACTION COMMENTS:					
DEPARTMENT OF TRANSPORTATION		A	11/16/2011		
ACTION COMMENTS:					
COUNCIL ON ENVIRONMENTAL QUALITY		I	11/16/2011	C	11/16/2011
ACTION COMMENTS:					
ACTION COMMENTS:					

COMMENTS: 110 ADDL SIGNEES

MEDIA TYPE: LETTER

USER CODE:

ACTION CODES	DISPOSITION		
A = APPROPRIATE ACTION B = RESEARCH AND REPORT BACK D = DRAFT RESPONSE I = INFO COPY/NO ACT NECESSARY R = DIRECT REPLY W/ COPY ORG = ORIGINATING OFFICE	TYPE RESPONSE	DISPOSITION CODES	COMPLETED DATE
	INITIALS OF SIGNER (W.H. STAFF) NRN = NO RESPONSE NEEDED OTBE = OVERTAKEN BY EVENTS	A = ANSWERED OR ACKNOWLEDGED C = CLOSED X = INTERIM REPLY	DATE OF ACKNOWLEDGEMENT OR CLOSEOUT DATE (MM/DD/YY)

KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING LETTER AT ALL TIMES
REFER QUESTIONS TO DOCUMENT TRACKING UNIT (202)-456-2590
SEND ROUTING UPDATES AND COMPLETED RECORDS TO OFFICE OF RECORDS MANAGEMENT - DOCUMENT TRACKING UNIT
ROOM 85, EEOB.

**Scanned By
ORM**

Congress of the United States

Washington, DC 20515

November 15, 2011

The Honorable Barack H. Obama
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

We write to commend you for bringing certainty to fuel economy and tailpipe emission standards for model years 2017-25 cars and light trucks to 54.5 miles per gallon (mpg).


The framework agreement brought together automotive manufacturers, labor, the environmental community, and government agencies. Industry groups such as the National Association of Manufacturers praised the agreement as a "positive step." As a result, automakers will enjoy regulatory certainty, which will help them design and build the advanced technology vehicles of the future and compete in an increasingly global marketplace. The agreement protects American jobs and consumers, and as such was a remarkable achievement.

In addition, we were pleased that the Administration intends to include a "mid-term" review for the 2022-2025 requirements. This provides an opportunity for the last set of increases to be re-visited to see if the assumptions on technology, costs, fuel prices, consumer acceptance and vehicle prices still support the standards that will be proposed, or whether their stringency should be revised upwards or downwards.


These regulations, taken together with the first phase of the standards for model years 2012-16 vehicles, will remove the need for as much as 3.8 million barrels of petroleum per day by 2030. Consumers will save thousands of dollars at the pump for gasoline they will no longer need to buy over the lifetime of their vehicles.

In conclusion, we believe that these standards to reduce petroleum use in cars and light trucks represent an opportunity to increase our national and economic security in an unprecedented way by dramatically decreasing our dependence on foreign sources of petroleum. They also bring a certainty to the regulatory framework for the industry and workers who design and build these vehicles.

Sincerely,


Edward J. Markey


John D. Dingell


Henry A. Waxman

Chris Van Hollen
Chris Van Hollen

Barney Frank
Barney Frank

Robert A. Brady
Robert A. Brady

Nydia M. Velazquez
Nydia M. Velazquez

Dale Kildee
Dale Kildee

Edolphus Towns
Edolphus Towns

Jackie Speier
Jackie Speier

Maurice Hinchey
Maurice Hinchey

Sam Farr
Sam Farr

John W. Olver
John W. Olver

Lynn Woolsey
Lynn Woolsey

Jay Inslee
Jay Inslee

Jared Polis
Jared Polis

Tammy Baldwin
Tammy Baldwin

Mike Doyle
Mike Doyle

John Conyers, Jr.
John Conyers, Jr.

Howard L. Berman
Howard L. Berman

Bob Kilner
Bob Kilner

C.A. Dutch Ruppersberger
C.A. Dutch Ruppersberger

Errol Nadler
Errol Nadler

Jim Moran
Jim Moran

Jim Langevin
Jim Langevin

Michael E. Capuano
Michael E. Capuano

William R. Keating
William R. Keating

Mike Quigley
Mike Quigley

Raul M. Grijalva
Raul M. Grijalva

Dennis J. Kucinich
Dennis J. Kucinich

Rosa DeLauro
Rosa DeLauro

Pete Visclosky
Pete Visclosky

Pete Stark
Pete Stark

Sandy Levin
Sandy Levin

Louise Slaughter
Louise Slaughter

George Miller
George Miller

Andre Carson
Andre Carson

Errol Nadler
Errol Nadler

Barbara Lee
Barbara Lee

Lois Capps
Lois Capps

Gary Ackerman
Gary Ackerman

Mike Honda
Mike Honda

Wm. Lacy Clay
Wm. Lacy Clay

Gerry Connolly
Gerry Connolly

Jesse E. Serrano
Jesse E. Serrano

Carolyn B. Maloney
Carolyn B. Maloney

Jenn Lewis
Jenn Lewis

Betty Sutton
Betty Sutton

Emanuel Cleaver, II
Emanuel Cleaver, II
Maxine Waters
Maxine Waters

Jan Schakowsky
Jan Schakowsky
Gwen Moore
Gwen Moore

Rush Holt
Rush Holt

John P. Sarbanes
John P. Sarbanes

Donna Christensen
Donna Christensen

Hank Johnson
Hank Johnson

Ted Deutch
Ted Deutch

Debbie Wasserman Schultz
Debbie Wasserman Schultz

Eleanor Holmes Norton
Eleanor Holmes Norton

Danny K. Davis
Danny K. Davis

Lloyd Doggett
Lloyd Doggett

Elijah E. Cummings
Elijah E. Cummings

Gary Peters
Gary Peters

Collin C. Peterson
Collin C. Peterson

Diana DeGette
Diana DeGette

Brad Miller
Brad Miller

Larry McNerney
Larry McNerney

Susan A. Davis
Susan A. Davis

Earl Blumenauer
Earl Blumenauer

James P. McGovern
James P. McGovern

Paul Tonko
Paul Tonko

Donald M. Payne
Donald M. Payne

Brad Sherman
Brad Sherman

David Price
David Price

Carolyn McCarthy
Carolyn McCarthy

John Tierney
John Tierney

Bennie G. Thompson
Bennie G. Thompson

Linda T. Sanchez
Linda T. Sanchez

Niki Tsongas
Niki Tsongas

Norm Dicks
Norm Dicks

Anna G. Eshoo
Anna G. Eshoo

Janice Hahn
Janice Hahn

Marcy Kaptur
Marcy Kaptur

John Garamendi
John Garamendi

Betty McCollum
Betty McCollum

Luis V. Gutierrez
Luis V. Gutierrez

Russ Carnahan
Russ Carnahan

Alyson Y. Schwartz
Alyson Y. Schwartz

Alice L. Hastings
Alice L. Hastings

Frank Pallone, Jr.
Frank Pallone, Jr.

Donna F. Edwards
Donna F. Edwards

Nita Lowey
Nita Lowey

Judy Chu
Judy Chu

Steve Cohen
Steve Cohen

Martin Heinrich
Martin Heinrich

John Carney
John Carney

Eddie Bernice Johnson
Eddie Bernice Johnson

Hansen Clarke
Hansen Clarke

Adam Smith
Adam Smith

Tim Ryan
Tim Ryan

Mike Thompson
Mike Thompson

Bill Pascrell, Jr
Bill Pascrell, Jr

David Cicilline
David Cicilline

Chellie Pingree
Chellie Pingree

Peter Welch
Peter Welch

John Yarmuth
John Yarmuth

Bobby L. Rush
Bobby L. Rush

Zoe Lofgren
Jim McDermott

Marcia L. Oudiz

Daniel Lipinski



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 18 2012

OFFICE OF
AIR AND RADIATION

The Honorable Gary Peters
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Peters:

Thank you for your letter of November 15, 2011, to President Obama, co-signed by 110 of your colleagues, regarding the U.S. Environmental Protection Agency and National Highway Traffic and Safety Administration's (NHTSA) recent joint proposed rule for fuel economy and greenhouse gas (GHG) emissions standards for model year 2017 to 2025 passenger cars and light trucks. This proposed rule was signed on November 16, 2011. We appreciate your support and value your interest in these standards, and have added your letter to our administrative docket for the rulemaking.

The proposed rule would provide auto manufacturers with the certainty needed to make long-term investments in technology and build advanced technology vehicles. Also, continuing the National Program would ensure that all manufacturers can build a single fleet of U.S. vehicles that would satisfy the requirements of both the Federal and California programs, thus helping to reduce costs and regulatory complexity while providing significant energy security and environmental benefits.

Again, thank you for your letter. If you have further questions, please contact me or your staff may call Diann Frantz in EPA's Office of Congressional and Intergovernmental Relations at (202) 564-3668.

Sincerely,

A handwritten signature in dark ink, appearing to read "Gina McCarthy", is written over a horizontal line.

Gina McCarthy
Assistant Administrator

Gary C. Peters
MEMBER OF CONGRESS
9TH DISTRICT, MICHIGAN
www.peters.house.gov

AL 09-001-7881

Congress of the United States
House of Representatives
Washington, DC 20515

COMMITTEE ON FINANCIAL SERVICES
CAPITAL MARKETS, INSURANCE, AND
GOVERNMENT-SPONSORED ENTERPRISES
INTERNATIONAL MONETARY POLICY AND
TRADE
COMMITTEE ON SCIENCE AND
TECHNOLOGY
TECHNOLOGY AND INNOVATION

November 19, 2009

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Jackson:

Thank you for your leadership of the Environmental Protection Agency and attention to programs funded under the American Recovery and Reinvestment Act (ARRA). These programs continue to provide critical resources to communities and I commend you for your stewardship in this area. In particular, the Clean Water State Revolving Fund has been of great interest to my district. However, several concerns have recently arisen regarding the ability for a township to award a contract to an entity other than the lowest bidder. The Township is interested in understanding if they would jeopardize ARRA dollars with such an action, and if these monies would further be jeopardized if the lowest bidder files a complaint against the Township.

I have attached the letter for your review, and would appreciate any guidance EPA could provide on this matter. Please feel free to contact me or Carly Hepola on my staff at (202) 225-5802 or Carly.Hepola@mail.house.gov. Thank you for your attention to this request.

Sincerely,



Gary C. Peters
Member of Congress

Attachment

DISTRICT OFFICE
560 KIRTS BLVD
SUITE #105
TROY, MI 48064
(248) 273-4227
FAX (248) 273-4704

WASHINGTON OFFICE
1130 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-5802
FAX (202) 226-2356

Michele Economou Ureste
Supervisor

Catherine Shaughnessy
Township Clerk

Teri Weingarden
Treasurer



Lawrence Brown
Township Trustee

Gene Farber
Township Trustee

Steven Kaplan
Township Trustee

Howard Rosenberg
Township Trustee

November 18, 2009

Dear Congressman Gary Peters,

The Charter Township of West Bloomfield requires assistance in an issue regarding ARRA stimulus funds for a Clean Water State Revolving Fund project. The Township has been issued an Administrative Consent Order for sanitary sewer improvements in the Evergreen Farmington District. We have successfully applied for Clean Water State Revolving Funds and have conducted a request for proposal. The Buy American (ARRA Section 1605) language was used verbatim in our RFP.

Our dilemma is that the lowest bidder, Lliquiforce, is a Canadian-owned and operated company with a Romulus, Michigan satellite office and it complies with all of the requirements in our RFP, including the Buy American clause. Our 7-member Democratic Board voted last evening in favor to bid the stimulus-funded project to Lliquiforce, as our General Counsel and Engineer claimed that we would lose the stimulus funds for the project if we awarded it to the second-lowest bidder (a U.S.-based international company, Institutum) and the lowest bidder, Lliquiforce, filed a complaint. The media is covering this issue. I initially voted against awarding the contract to Lliquiforce and changed my vote later in the meeting to be on the prevailing side to allow me to make a reconsideration motion at our next Board meeting this Thursday, 11/18, at 12:15 p.m.

My questions are as follows:

- If the township awards the CWSRF contract to the second lowest bidder and the lowest bidder files a complaint, will we lose our stimulus funds?
- Can we receive a written guarantee that we will not lose stimulus funding by issuing the contract to the second lowest bidder and U.S.-based company (as the lowest bidder will most assuredly protest)?
- Why doesn't the ARRA Section 1605 Buy American language make it explicitly clear that stimulus funds can only be awarded to U.S.-based companies, rather than just requiring US labor and materials for manufacturing the product? You will want to address this issue, as other municipalities will have the same issue.

Thank you for your assistance in this urgent and important matter.

Sincerest Regards,

A handwritten signature in cursive script, reading "Michele Economou Ureste".

Michele Economou Ureste
West Bloomfield Township Supervisor





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 11 2010

OFFICE OF
WATER

The Honorable Gary C. Peters
United States House of Representatives
Washington, DC 20515

Dear Congressman Peters:

Thank you for your letter of November 19, 2009, to Lisa P. Jackson, Administrator of the U.S. Environmental Protection Agency (EPA), communicating the concerns of West Bloomfield Township Supervisor, Michele Economou Ureste. In particular, Ms. Ureste is concerned that the Township may lose funding provided under the American Recovery and Reinvestment Act (ARRA) for its project if it does not choose the lowest responsible bidder, a company headquartered in Canada. She also expressed the concern that a bid protest from the lowest responsible bidder may jeopardize funding.

Federal procurement rules do not apply to funds awarded by State Revolving Fund programs (SRFs). It is essential for any recipient of funding to comply with State and local rules, regulations, and requirements. Therefore, the EPA cannot opine on whether the Township may award a contract to the second lowest responsible bidder.

Section 1605 of the ARRA requires that all iron, steel, and manufactured goods used in a project funded with ARRA funds be made in America. This requirement applies only to iron, steel, and manufactured goods, not to the location of incorporation of a contractor. Ms. Ureste states that the lowest responsible bidder is a foreign-owned corporation, but that it certifies that it will comply with all Buy American requirements under section 1605 of the ARRA. Therefore, section 1605 should not be used as a basis for disqualifying the lowest responsible bidder. However, as mentioned above, the selection of a bidder is a local matter.

Of greater importance is the ARRA requirement that all projects be under contract or construction by February 17, 2010, or the State will be subject to loss of funds. If the West Bloomfield project is not under contract by February 17, 2010, the Township will lose ARRA funding. The State will be forced to provide the funds to another community in advance of the deadline, or return the funds to EPA. Therefore, if a bid protest prevents the Township from signing the contract for construction of the project, the State may be forced to cancel the assistance agreement.

Again, thank you for your letter. If you have further questions, please contact me or your staff may call Greg Spraul, in EPA's Office of Congressional and Intergovernmental Relations, at (202) 564-0255.

Sincerely,

A handwritten signature in black ink that reads "Pet Sil". The "P" is large and loops around the "et", and "Sil" is written in a cursive style.

Peter S. Silva
Assistant Administrator

AL-11-001-2807

Congress of the United States
Washington, DC 20515

July 29, 2011

Lisa Jackson
Administrator
Environmental Protection Agency
USEPA Ariel Rios Building (AR)
1200 Pennsylvania Avenue N.W.
Washington, DC 20004

Dear Administrator Jackson:

The Clean Water Act (CWA) is one of our nation's greatest environmental laws, safeguarding our rivers, lakes, and streams and protecting the health and safety of our drinking water. Under your leadership, the Environmental Protection Agency (EPA) has taken significant actions to improve the safety of our drinking water, and we encourage you to continue to protect our waterways. In particular, we support agency actions to clarify the jurisdiction of the EPA and the U.S. Army Corps of Engineers under the Clean Water Act.

Almost a half century ago, the United States passed bipartisan legislation, the Clean Water Act, to protect our nation's waterways. This legislation came on the heels of several rivers catching on fire, including the Cuyahoga River in 1969. In 1977, this statute was strengthened, and the United States again demonstrated its commitment to clean drinking water.

There is no right more basic than the right to safe drinking water, and that right depends on unpolluted source waters. The Clean Water Act protects our water from heavy metals such as arsenic and lead, dangerous pathogens like E. coli, and other toxins. Clean drinking water is basic to our very survival.

Not only is clean water important to public health, but it is also vital to our economy and to our heritage. From the Great Lakes to the Chesapeake Bay, and from the Yellowstone River to the Mississippi River, our waterways support fishing, sightseeing, and tourism. Wetlands serve as flood control, protecting inland communities from damage. The cumulative economic value of our waters is stunning. According to the United Nations Educational Science and Cultural Organization, lakes and rivers have an annual economic value of \$19,580 per hectare. The Great Lakes fisheries alone generate approximately \$7 billion in economic activity annually. Nationally, the commercial fishing industry generates more than \$100 billion in sales and supports more than 1.5 million jobs.

A strong Clean Water Act has moved us beyond the days of rivers on fire. However, there is still more to be done. Indeed, state and EPA data reveal that 44 percent of assessed river and stream miles and 64 percent of assessed lake acres do not meet relevant water quality standards.

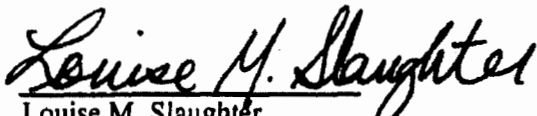
We cannot sacrifice our waterways and our drinking water.

Unfortunately, two recent Supreme Court decisions (*SWANCC v. U.S. Army Corps of Engineers* and *Rapanos v. U.S.*) and subsequent administration guidance threaten protections for millions of acres of wetlands and streams. These Supreme Court cases, combined with previous administration guidance, potentially narrow the interpretation of the Clean Water Act by jeopardizing protections for intermittent and seasonal streams and certain wetlands across the country. These types of streams comprise up to 60 percent of streams in the U.S., and feed the drinking water supplies of 117 million Americans.

In April 2011, the EPA issued guidance in order to clarify the jurisdiction of the US EPA and the US Army Corps, and extend the protections of the CWA to smaller headways and waterways. This guidance, consistent with the Supreme Court decisions, will help us to move forward in protecting the waterways that serve the drinking water for over 117 million Americans.

We appreciate the recent work of the EPA to clarify the requirements of the Clean Water Act, and we look forward to working with you to protect our nation's waterways.


Sincerely,


Louise M. Slaughter
MEMBER OF CONGRESS



James P. Moran
MEMBER OF CONGRESS

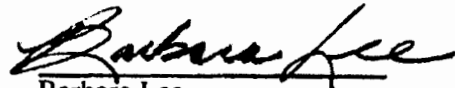

John P. Sarbanes
MEMBER OF CONGRESS



Donna F. Edwards
MEMBER OF CONGRESS


Gerald E. Connolly
MEMBER OF CONGRESS


Jim McDermott
MEMBER OF CONGRESS


Gwen Moore
MEMBER OF CONGRESS



Barbara Lee
MEMBER OF CONGRESS

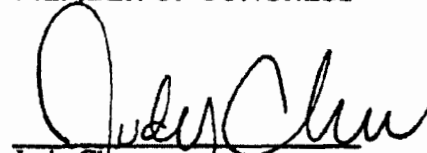

Lois Capps
MEMBER OF CONGRESS



Raúl M. Grijalva
MEMBER OF CONGRESS

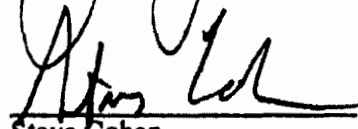

Dennis J. Kucinich
MEMBER OF CONGRESS

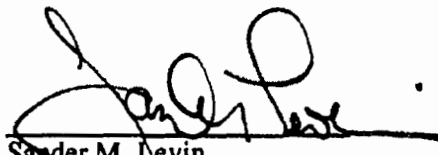

Fortney Pete Stark
MEMBER OF CONGRESS


Earl Blumenauer
MEMBER OF CONGRESS

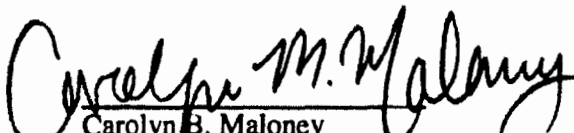

Judy Chu
MEMBER OF CONGRESS


Chellie Pingree
MEMBER OF CONGRESS



Steve Cohen
MEMBER OF CONGRESS

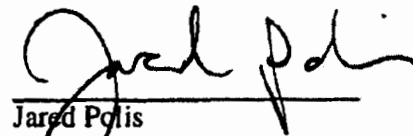

Sander M. Levin
MEMBER OF CONGRESS

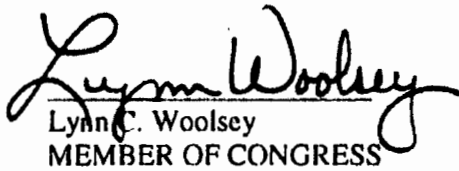

Peter A. DeFazio
MEMBER OF CONGRESS

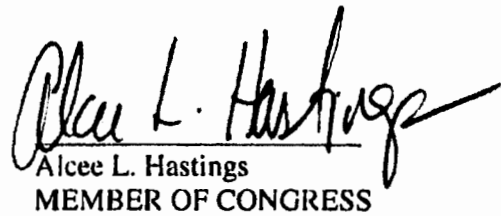

Carolyn B. Maloney
MEMBER OF CONGRESS



Steven R. Rothman
MEMBER OF CONGRESS

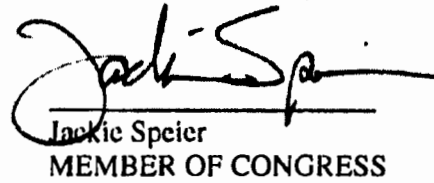

Keith Ellison
MEMBER OF CONGRESS

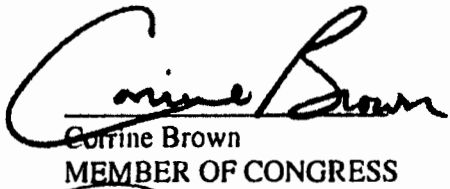

Jared Polis
MEMBER OF CONGRESS

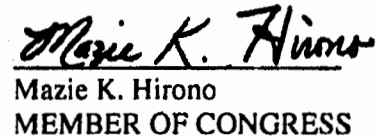

Lynn C. Woolsey
MEMBER OF CONGRESS

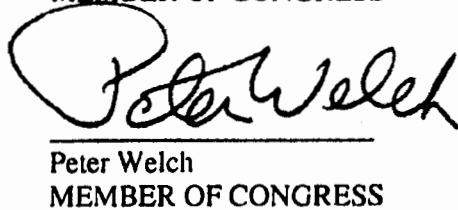

Alcee L. Hastings
MEMBER OF CONGRESS

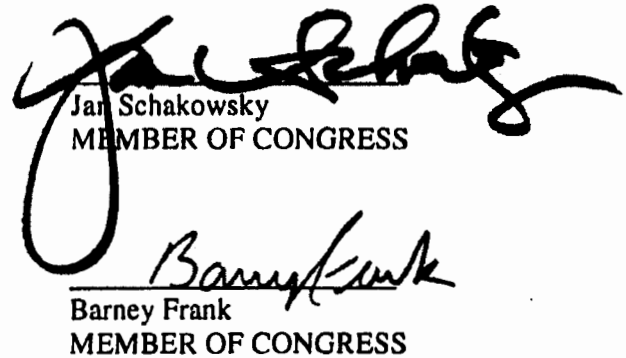

Maxine Waters
MEMBER OF CONGRESS

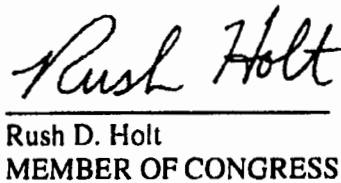

Jackie Speier
MEMBER OF CONGRESS

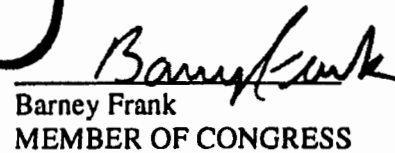

Corrine Brown
MEMBER OF CONGRESS


Mazie K. Hirono
MEMBER OF CONGRESS

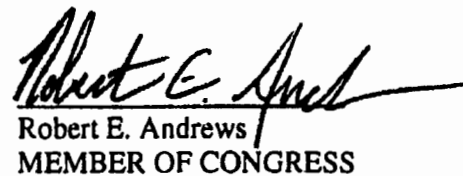

Peter Welch
MEMBER OF CONGRESS

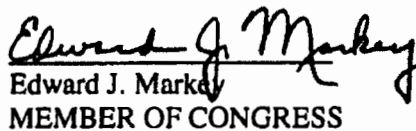

Jan Schakowsky
MEMBER OF CONGRESS

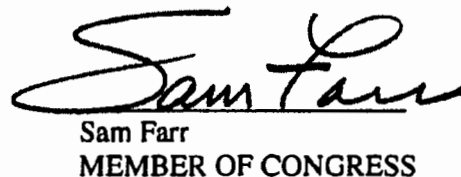

Rush D. Holt
MEMBER OF CONGRESS

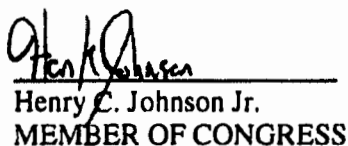

Barney Frank
MEMBER OF CONGRESS

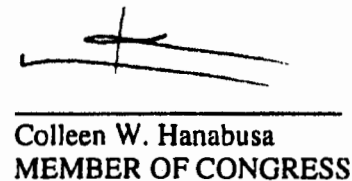

Emanuel Cleaver
MEMBER OF CONGRESS



Robert E. Andrews
MEMBER OF CONGRESS

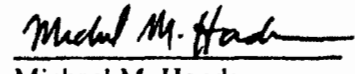

Edward J. Markey
MEMBER OF CONGRESS

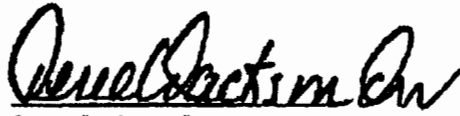

Sam Farr
MEMBER OF CONGRESS

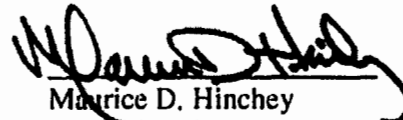

Henry C. Johnson Jr.
MEMBER OF CONGRESS


Colleen W. Hanabusa
MEMBER OF CONGRESS



Donna M. Christensen
MEMBER OF CONGRESS

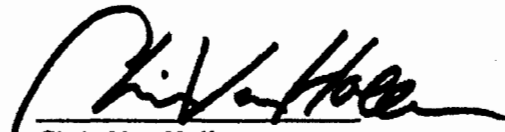

Michael M. Honda
MEMBER OF CONGRESS

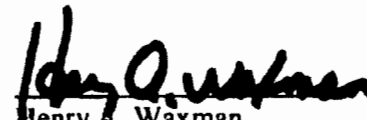

Jesse Jackson Jr.
MEMBER OF CONGRESS


Maurice D. Hinchey
MEMBER OF CONGRESS



Paul Tonko
MEMBER OF CONGRESS



Elijah E. Cummings
MEMBER OF CONGRESS

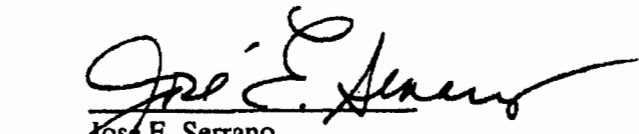

Chris Van Hollen
MEMBER OF CONGRESS

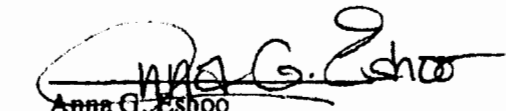

Henry A. Waxman
MEMBER OF CONGRESS

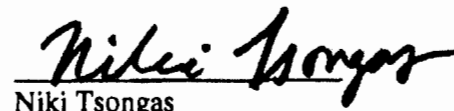

Theodore E. Deutch
MEMBER OF CONGRESS

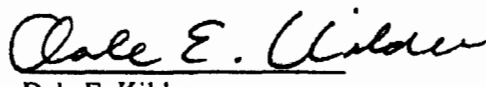

Howard L. Berman
MEMBER OF CONGRESS

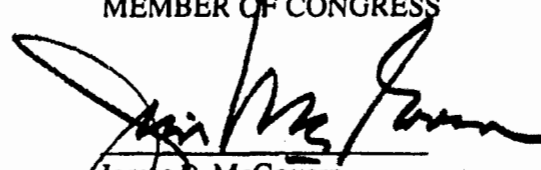

William R. Keating
MEMBER OF CONGRESS

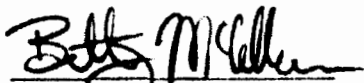

Jose E. Serrano
MEMBER OF CONGRESS


Anna G. Eshoo
MEMBER OF CONGRESS



Niki Tsongas
MEMBER OF CONGRESS

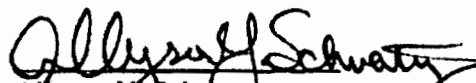

Dale E. Kildee
MEMBER OF CONGRESS

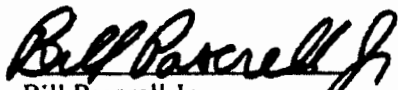

James P. McGovern
MEMBER OF CONGRESS

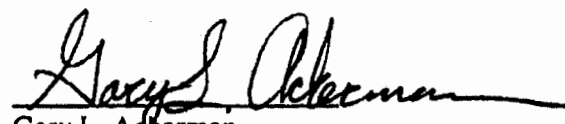

Betty McCollum
MEMBER OF CONGRESS

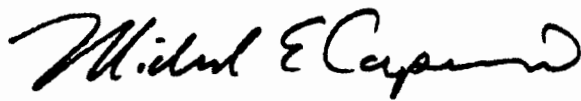

John Garamendi
MEMBER OF CONGRESS


Luis V. Gutierrez
MEMBER OF CONGRESS



Allyson Y. Schwartz
MEMBER OF CONGRESS



Bill Pascrell Jr.
MEMBER OF CONGRESS



Gary L. Ackerman
MEMBER OF CONGRESS

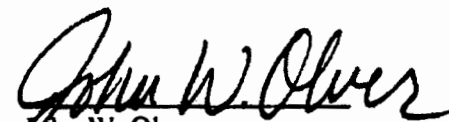

Michael E. Capuano
MEMBER OF CONGRESS

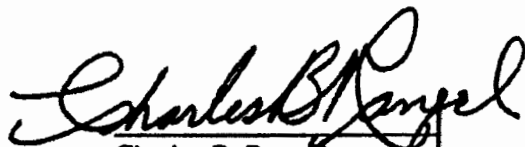

Timothy W. Bishop
MEMBER OF CONGRESS

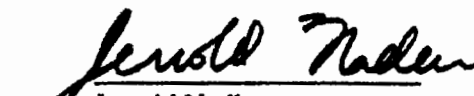

Chaka Fattah
MEMBER OF CONGRESS

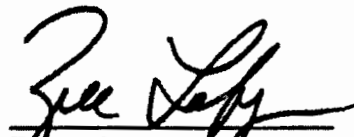

Steve Israel
MEMBER OF CONGRESS

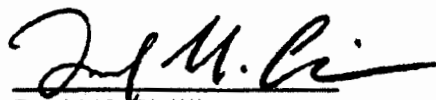

Mike Quigley
MEMBER OF CONGRESS

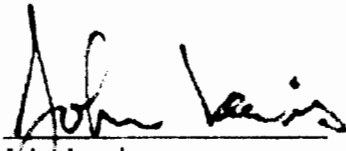

John W. Olver
MEMBER OF CONGRESS

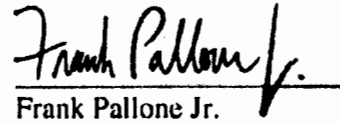

Charles B. Rangel
MEMBER OF CONGRESS



Jerrold Nadler
MEMBER OF CONGRESS


Zoe Lofgren
MEMBER OF CONGRESS

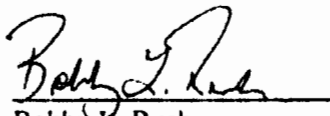

David N. Cicilline
MEMBER OF CONGRESS

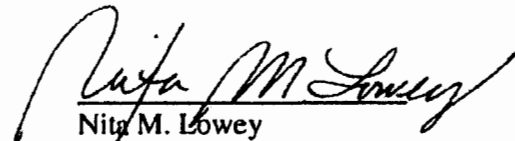

John Lewis
MEMBER OF CONGRESS



Frank Pallone Jr.
MEMBER OF CONGRESS

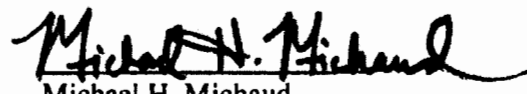

Debbie Wasserman Schultz
MEMBER OF CONGRESS

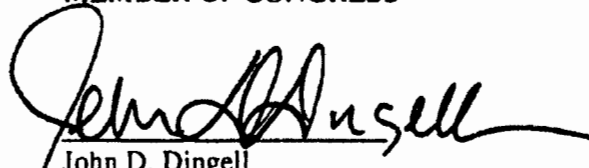

James R. Langevin
MEMBER OF CONGRESS


Bobby L. Rush
MEMBER OF CONGRESS

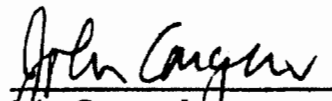

Nita M. Lowey
MEMBER OF CONGRESS

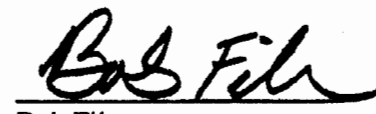

Christopher S. Murphy
MEMBER OF CONGRESS

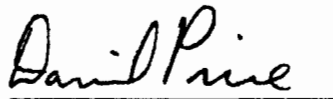

Michael H. Michaud
MEMBER OF CONGRESS

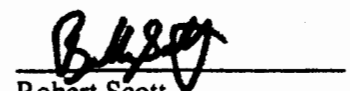

John D. Dingell
MEMBER OF CONGRESS

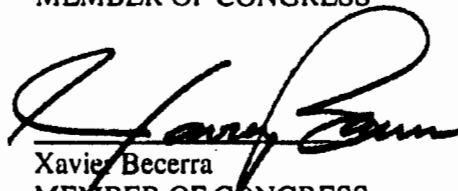

Gary C. Peters
MEMBER OF CONGRESS


John Conyers Jr.
MEMBER OF CONGRESS

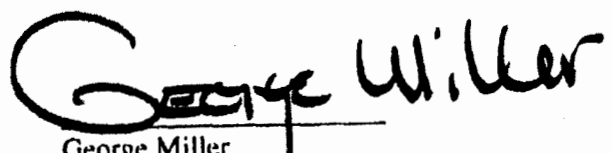

Bob Filner
MEMBER OF CONGRESS


David E. Price
MEMBER OF CONGRESS


Robert Scott
MEMBER OF CONGRESS


Xavier Becerra
MEMBER OF CONGRESS


Tim Ryan
MEMBER OF CONGRESS


George Miller
MEMBER OF CONGRESS



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP - 9 2011

The Honorable Gary C. Peters
United States House of Representatives
Washington, DC 20515

OFFICE OF
WATER

Dear Congressman Peters:

Thank you for your letter of July 29, 2011, to the U.S. Environmental Protection Agency (EPA) Administrator Lisa P. Jackson regarding our joint effort with the U.S. Army Corps of Engineers (Corps) to develop guidance on Clean Water Act jurisdiction. Administrator Jackson has asked that I respond to your letter.

We appreciate your observations regarding the importance of clean water to public health, our economy, and the environment. The importance of clean water has guided the agencies' efforts to clarify what waters are protected by the Clean Water Act after two U.S. Supreme Court cases. The agencies believe that public input is important to developing sound public policy. Thus, we published the draft guidance on May 2, 2011 for comment. The comment period closed July 31, 2011. We have received many thousands of comments, and are in the process of reviewing and analyzing the information and ideas submitted.

The draft guidance reaffirms protections for small streams that feed into larger streams, rivers, bays and coastal waters, affecting the integrity of those waters. It also reaffirms protection for wetlands that filter pollution and help protect communities from flooding. This draft guidance would help protect the streams and wetlands that affect the quality of the water used for drinking, swimming, fishing, farming, manufacturing, tourism and other activities essential to the American economy and quality of life. It also would improve regulatory clarity, predictability, consistency and transparency.

In the May 2, 2011, Federal Register Notice, the EPA and Corps stated that they expect to propose revisions to existing regulations to further clarify which waters are subject to Clean Water Act jurisdiction, consistent with the Supreme Court's decisions. This is still the intention of the EPA and Corps.

Thank you for your continued interest and support of our nation's efforts to ensure clean water. If you have further questions, please contact me or your staff may call Denis Borum in the EPA's Office of Congressional and Intergovernmental Relations on 202-564-4836.

Sincerely,

A handwritten signature in black ink, which appears to read "Nancy K. Stoner", is written over the typed name.

Nancy K. Stoner
Acting Assistant Administrator

AL-12-001-9199

Congress of the United States
Washington, DC 20515

November 17, 2012

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Administration
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: Detroit Brownfield Redevelopment Authority's Application
for a Revolving Loan Fund Grant


Dear Administrator Jackson,

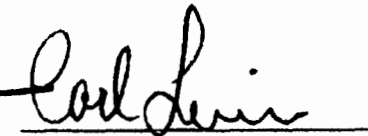
We write to express our support for the Detroit Brownfield Redevelopment Authority's (DBRA) application for EPA grant funding to capitalize a Revolving Loan Fund (RLF) to help meet brownfield remediation and redevelopment needs in the City of Detroit.

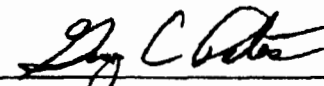
The redevelopment of brownfield sites is integral to economic recovery in the City of Detroit. The remediation of contaminated sites is challenging for developers, however, and there is substantial need for financing assistance to help meet the unique costs of redeveloping these sites. We understand that there is a pipeline of important brownfield redevelopment projects that could move forward, with this financing assistance, to create jobs, generate new investment in Detroit, and improve public health and the environment.

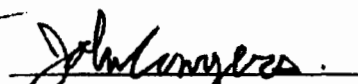
The creation of a Revolving Loan Fund administered by the DBRA will be a key step in helping developers clean up and transform brownfield sites into new productive uses. This effort to spur redevelopment and reinvestment in Detroit is of the utmost urgency, and the DBRA's application has our strong support.

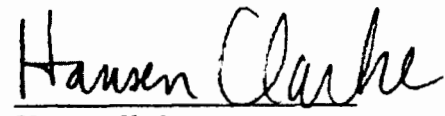
Sincerely,


Debbie Stabenow
United States Senator


Carl Levin
United States Senator


Gary C. Peters
Member of Congress


John Conyers Jr.
Member of Congress


Hansen Clarke
Member of Congress



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC - 7 2012

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

The Honorable Gary Peters
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Peters:

Thank you for your letter of November 17, 2012, supporting the Brownfields Grant Proposal from the Detroit Brownfield Redevelopment Authority in Michigan. I appreciate your interest in the Brownfields Program and your support of the proposal.

As you know, the Small Business Liability Relief and Brownfields Revitalization Act assists states and communities throughout the country in their efforts to revitalize and reclaim brownfields sites. This program is an excellent example of the success that is possible when people of all points of view work together to improve the environment and their communities.

Last year's application process was highly competitive, with the EPA evaluating more than 600 grant proposals. From these proposals, the EPA announced the selection of approximately 200 grants.

The EPA's selection criteria for grant proposals are available in the *Proposal Guidelines for Brownfields Assessment, Revolving Loan Fund, and Cleanup Grants (September 2012)*, posted on our brownfields website at www.epa.gov/brownfields. Each proposal will be carefully reviewed and evaluated by a selection panel that applies these objective criteria in this highly competitive program. Be assured that the grant proposal submitted by the Detroit Brownfield Redevelopment Authority will be given every consideration.

Again, thank you for your letter. If you have further questions, please contact me or your staff may call Raquel Snyder, in EPA's Office of Congressional and Intergovernmental Relations, at (202) 564-9586.

Sincerely,

A handwritten signature in black ink that reads "Mathy Stanislaus". The signature is written in a cursive, flowing style.

Mathy Stanislaus
Assistant Administrator

AL - 11-000-9698 ✓

Congress of the United States
Washington, DC 20515

June 10, 2011

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20004

Dear Administrator Jackson,

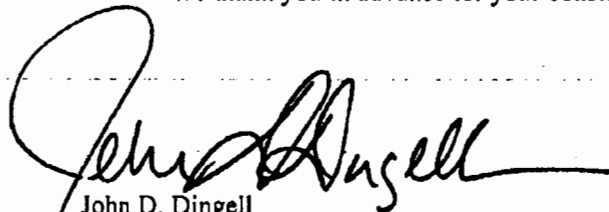
On May 3, 2011, the Environmental Protection Agency (EPA) published in the Federal Register a proposed rule for national emission standards for hazardous air pollutants from coal and oil-fired electric generation – the so-called “Utility MACT” rule. This proposed rule, unparalleled in its size and scope for maximum achievable control technology rule, presents a set of new regulations with possible wide-reaching impacts on the way our country generates and consumes electricity. Accordingly, such a dense and wide-ranging rulemaking requires thorough analysis and evaluation by stakeholders. We are writing to request that EPA extend the comment period beyond the 60 days, to a total of 120 days, in order to allow for the necessary analysis and ultimate comments on this very complex proposed rule.

Like you, we believe constructive efforts must be made to reduce harmful emissions from our nation's electric utilities for the betterment of human health and the environment; this is the meritorious goal of the Clean Air Act. At the same time, we also must be mindful of the economic impact new regulations could have, especially with the complexity and breadth of applicability for this proposed rule being so significant. By EPA's own analysis, this proposed rule will cost nearly \$11 billion per year with retail electricity rates increasing by an average of 3.7% annually.

Moreover, errors in calculations have come to light since the rule was proposed on May 3. While EPA states that the errors will not have a significant impact on the limit for mercury at existing power plants, we believe that the public should have ample opportunity to examine the revised mercury calculations and comment on them.

A request for an extension of the comment period would be consistent with the consent decree issued by the U.S. District Court for the District of Columbia in April, 2010 where the court provides that EPA may modify the rulemaking process beyond the November deadline by providing notice and reasons for a modification. Clearly, the importance and complexity of this proposed rule, and the concerns cited above, warrant additional time for public consumption.

We thank you in advance for your consideration.


John D. Dingell
Member of Congress

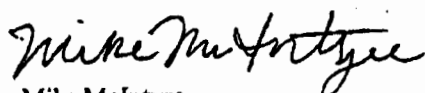

Tim Holden
Member of Congress



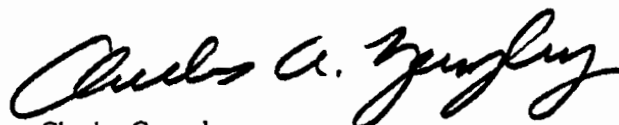
Mike Ross
Member of Congress



John Barrow
Member of Congress



Mike McIntyre
Member of Congress



Charles Gonzalez
Member of Congress



Jim Matheson
Member of Congress



Hansen Clarke
Member of Congress



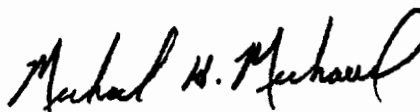
Mark Critz
Member of Congress



Dan Boren
Member of Congress



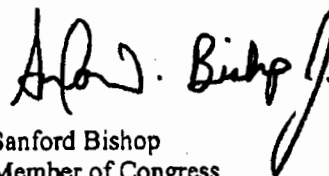
Edolphus Towns
Member of Congress



Michael Michaud
Member of Congress




Nick J. Rahall
Member of Congress



Sanford Bishop
Member of Congress



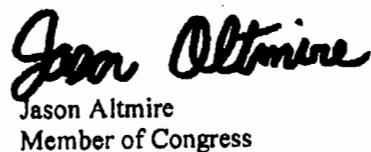
Michael Doyle
Member of Congress



Terri A. Sewell
Member of Congress



Sander Levin
Member of Congress



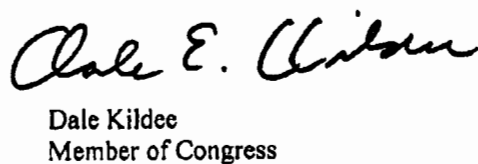
Jason Altmire
Member of Congress



Gary Peters
Member of Congress



Ben Chandler
Member of Congress



Dale Kildee
Member of Congress



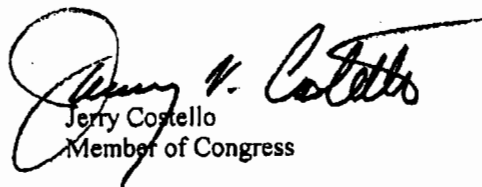
Gene Green
Member of Congress



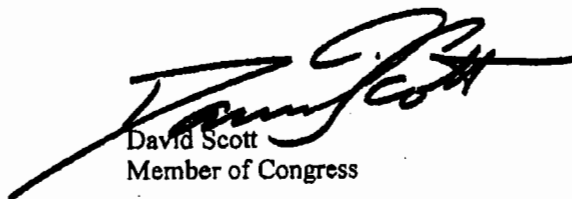
G.K. Butterfield
Member of Congress



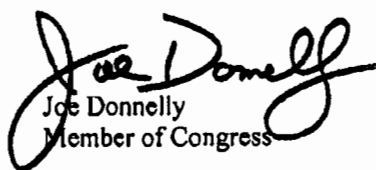
Larry Kissell
Member of Congress



Jerry Costello
Member of Congress



David Scott
Member of Congress



Joe Donnelly
Member of Congress



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 21 2011

OFFICE OF
AIR AND RADIATION

The Honorable Gary Peters
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Peters:

Thank you for the letter of June 10, 2011, requesting an extension of the public comment period for the proposed "National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units" (the Mercury and Air Toxics Standards rule), which was published in the *Federal Register* on May 3, 2011. The proposal identified a public comment period of 60 days; that period would end on July 5, 2011. The U.S. Environmental Protection Agency (EPA) is extending the comment period by 30 days to August 4.

While we are extending the comment period, we are not seeking to extend the November 16, 2011 deadline for signature of the final rule, and remain committed to meeting that deadline.

The 30-day extension will have the effect of providing the public with a 140-day period to review the proposal. As you know, interested parties were aware of the posting on March 16, 2011 of the signed proposal on EPA's website (<http://www.epa.gov/ttn/atw/utility/utilitypg.html>), along with much of the pertinent supporting documentation (including the analyses used in establishing the proposed emission limits and the technical support documents). The proposal was published a little over 6 weeks later, on May 3, marking the beginning of the formal public comment period. Thus, as of August 4, the public will have been provided with approximately 140 days in total in which to review and provide written comments on the proposed rule and supporting documents and at least 60 days for other documentation that was not loaded onto the website until sometime after signature of the proposed rule. This comment period is significantly longer than statutorily required; however, given some of the substantive issues specific to this rulemaking, we are extending the period during which the public can submit comments.

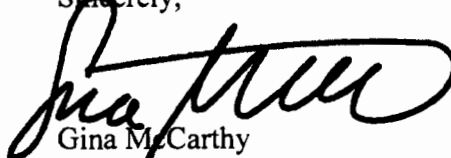
In the context of our commitment to meet the November 16 deadline for issuing the final rule, it is worth noting that others have reported to the agency that many companies have already made decisions in anticipation of the November 16, 2011 final rule. Most notably, companies have participated in capacity auctions for 2015 in which they factored in the existence of the Mercury and Air Toxics Standards rule. For example, in the PJM region, which includes 54 million customers in 13 Mid-Atlantic and Midwestern states, companies have committed resources (including existing power plants, new plants, upgraded plants, and energy efficiency and demand response) necessary to meet the region's 2015

power needs. These companies are now, in effect, financially bound to meet these commitments. A similar capacity auction has also been conducted by ISO-New England with bidding reflecting the costs of conforming with the rule.

Other system operators have undertaken planning, analysis, and related activities in preparation for compliance with the rule as well. These ongoing activities suggest that the regulated community would benefit at this point from the final rule being promulgated on schedule, as that would ensure that the affected companies and system operators were provided with full information on their compliance obligations under the rule. For these reasons – and in view, of course, of the crucial public health benefits provided by the rule, we believe that it is important to maintain the November 16 signature date for the Mercury and Air Toxics Standards rule.

Again, thank you for your letter. If you have further questions, please contact me, or your staff may call Josh Lewis in EPA's Office of Congressional and Intergovernmental Relations at (202) 564-2095.

Sincerely,

A handwritten signature in black ink, appearing to read "Gina McCarthy", with a large, sweeping flourish at the end.

Gina McCarthy
Assistant Administrator

AL-13-000-0278

Congress of the United States
Washington, DC 20515
December 28, 2012

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Jackson:

We write to invite you to attend the 2013 North American International Auto Show (NAIAS) in Detroit, Michigan, during the week of January 14, 2013.

The American automobile industry has made great strides in the few short years since the financial crisis of 2008. Millions of jobs were saved, and the domestic automakers were able to transform themselves once again into forward-thinking, viable companies. Show attendees will learn first-hand about the latest developments in the automobile industry by speaking directly to industry top executives.

Detroit shines when hosting NAIAS because it is a showcase for the ingenuity of the American automobile industry. For the past few years, the show has also highlighted the perseverance of domestic automakers, which have restructured themselves and are now competitive on a global scale. Presidents, Vice Presidents, Cabinet Members, and Members of Congress all have visited NAIAS over the years, and we hope you are able to attend. We sincerely hope you will come see the great advances American automakers have made in terms of fuel economy, automotive safety, and overall vehicle quality, as well as experience their ongoing commitment to those advances in next year's models and concept cars.

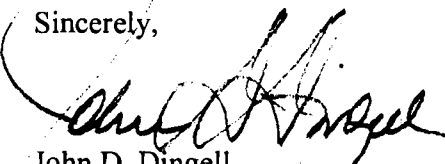
NAIAS is the automobile industry's most important event every year. In 2012, nearly 5,300 journalists from 58 countries around the world attended the show. Over 770,000 people attended the public portion of the show, and its charity events raised \$3 million. Over 23,000 automotive professionals alone representing almost 2,000 companies attended the show's Industry Preview Days.

We sincerely hope you will attend NAIAS next January to see first-hand and judge for yourself our automakers' dedication to being the best in the world, both now and in the future. Thank you for your consideration of this request. Should you have any questions, please have your staff contact Katie Murtha, who is coordinating this event, in Representative Dingell's office at 202-225-4071.

Sincerely,



Debbie Stabenow
U.S. Senator




John D. Dingell
Member of Congress




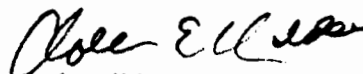
Carl Levin
U.S. Senator



Fred Upton
Member of Congress



Dave Camp
Member of Congress

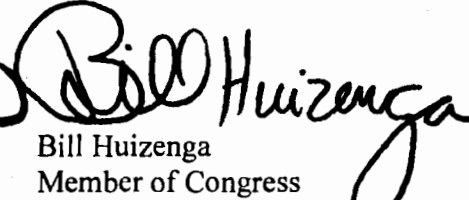

John Conyers
Member of Congress



Mike Rogers
Member of Congress


Dale Kildee
Member of Congress



Sander M. Levin
Member of Congress


Candice Miller
Member of Congress


Bill Huizenga
Member of Congress


David Curson
Member of Congress


Gary Peters
Member of Congress


Tim Walberg
Member of Congress


Hansen Clarke
Member of Congress

AL-11-002-0696

Congress of the United States
Washington, DC 20515

December 8, 2011

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Jackson:

We write to invite you to attend the 2012 North American International Auto Show (NAIAS) in Detroit during the week of January 9, 2012. The best days for a visit are the media preview days on January 9 and 10.

As you know, each year, Detroit shines as it hosts NAIAS. This is where the global automotive community comes together to witness the latest in technology and automotive business. Over the years, Presidents, Vice Presidents, Cabinet Secretaries, as well as Members of Congress from around the country, have attended to see not only the vehicles that will be on the road in the next couple of years but also the concept vehicles that indicate the future direction of the auto industry. Indeed, the Chevy Volt was premiered as a concept car at NAIAS in 2007. It is the industry's most substantive annual event and in addition to some of the automotive world's most eagerly anticipated new vehicle premieres, attendees at the opening days also gain unprecedented access to more of the industry's top leaders and thinkers than anywhere else in the hemisphere.

Because of the innovation shown at NAIAS in 2011, more than 5000 journalists from 55 countries attended in an effort to gain insight into the latest and greatest technological advancements of the industry and its supply chain. More than 735,000 visitors passed through the doors during public days. This show is uniquely positioned to be four shows in one- a media preview, an industry preview, a charity preview and a public show with a 9 day run.

The upcoming NAIAS will showcase American automakers' return to profitability and their successful development and marketing of fuel-efficient vehicles with advanced technologies. These vehicles will be on display at the show, and symposia with original equipment manufacturers and suppliers will offer participants greater insight into the technological and strategic underpinnings of the domestic auto industry's resurgence.

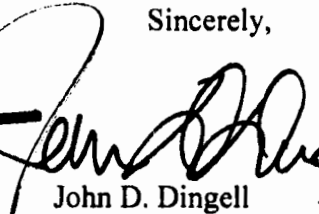
It is our strong hope that you will attend NAIAS. Because the federal government played a significant role in all three U.S. automakers' return to profitability, I believe you will find great satisfaction in attending the show. Similarly, NAIAS offers you the opportunity to experience first-hand how sincerely domestic manufacturers value the taxpayers' investment and the concrete steps they have taken to repay that trust.

Thank you for your kind consideration of this request. Should you have any questions, please feel free to contact one of us directly or have your staff contact Katie Murtha in Representative John Dingell's office at 202-225-4071.

Sincerely,



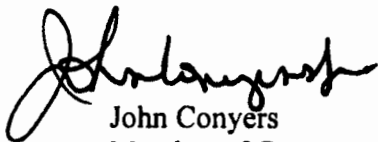
Debbie Stabenow
U.S. Senator



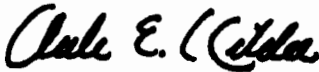
John D. Dingell
Member of Congress



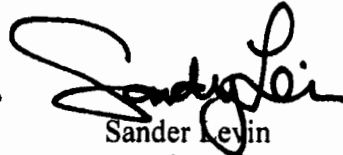
Carl Levin
U.S. Senator



John Conyers
Member of Congress



Dale Kildee
Member of Congress



Sander Levin
Member of Congress



Gary Peters
Member of Congress



Hansen Clarke
Member of Congress

Gary C. Peters
MEMBER OF CONGRESS
14TH DISTRICT, MICHIGAN
www.peters.house.gov

AL-13-000-4904

Congress of the United States
House of Representatives
Washington, DC 20515

COMMITTEE ON FINANCIAL SERVICES
SUBCOMMITTEE ON CAPITAL MARKETS AND
GOVERNMENT-SPONSORED ENTERPRISES
SUBCOMMITTEE ON MONETARY POLICY
AND TRADE
SENIOR WHIP

April 29, 2013

The Honorable Bob Perciasepe
Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave, NW
Washington, DC 20460

Dear Administrator Perciasepe:

I am writing in follow-up to my November letter that I sent to Administrator Lisa Jackson, along with Senators Carl Levin and Debbie Stabenow and Representatives John Dingell, John Conyers, and Sander Levin. In that letter, we outlined the importance of the Detroit Brownfield Redevelopment Authority's (DBRA) application for an EPA Revolving Loan Fund grant and how critical it is to urgent community redevelopment and job creation opportunities in Detroit.

Over the past months, I have heard from stakeholders in Detroit how essential brownfields financing is to redevelopment efforts in the City. In the last year especially, momentum for redevelopment and transformation in Detroit has greatly accelerated. However, the lack of brownfields financing remains a significant barrier to redevelopment projects in many areas. In particular, the DBRA has seen a marked drop in brownfield redevelopment plans as other sources of brownfields financing have become unavailable.

As I am sure you are aware, the need for reinvestment and redevelopment in Detroit is of the utmost importance. Brownfields financing is a vital tool in this effort at a critical time for the continuing turnaround efforts in the City. For this reason, I wanted to reiterate my support and ask that EPA provide the DBRA's application every appropriate consideration. You may contact me directly through my staffer, CeCe Grant, at (202) 225-5802 or cece.grant@mail.house.gov.

Sincerely yours,



Gary C. Peters
Member of Congress

cc: Mathy Stanislaus, Assistant Administrator
Office of Solid Waste and Emergency Response

DISTRICT OFFICE
400 Monroe Street Suite 260
Detroit, MI 48226
(313) 964-9960
FAX (313) 964-9959

WASHINGTON OFFICE
1609 Longworth House Office Building
Washington, DC 20515
(202) 225-5802
FAX (202) 226-2356



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 10 2013

The Honorable Gary C. Peters
U. S. House of Representatives
Washington, D.C. 20515

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

Dear Congressman Peters:

Thank you for your letter of April 29, 2013 to the U.S. Environmental Protection Agency (EPA), supporting the Brownfields Grant proposal from the Detroit Brownfield Redevelopment Authority in Michigan. I appreciate your interest in the Brownfields Program, and your support of the proposal.

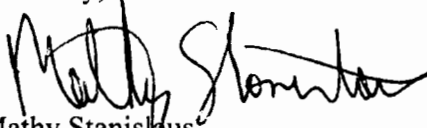
As you know, the Small Business Liability Relief and Brownfields Revitalization Act assists states and communities throughout the country in their efforts to revitalize and reclaim brownfields sites. This program is an excellent example of the success that is possible when people of all points of view work together to improve the environment and their communities. The program is also highly competitive due to great demand for its resources from communities, states, tribal governments and nonprofit entities across the country.

Unfortunately, the Detroit Brownfield Redevelopment Authority was unsuccessful in receiving a revolving loan fund grant this round because it did not score high enough on the ranking criteria established in the *FY13 Proposal Guidelines for Brownfield Assessment, Revolving Loan Fund, and Cleanup Grants (September 2012)* posted on our brownfields website at www.epa.gov/brownfields. The EPA received over 650 grant proposals for consideration and had funds to award approximately 240 grants from the highest ranking proposals.

Each proposal was evaluated along with other proposals received by the deadline as part of the National Brownfields Program grant competition for FY 2013. All of the proposals were evaluated by panels consisting of EPA staff, as well as other Federal representatives. These panels assessed how well the proposals met the criteria outlined in the proposal guidelines. Applicants that were not selected in this competition can receive a comprehensive debriefing from our Regional reviewers to fully understand how future applications can be improved to be even more competitive.

Again, thank you for your letter and for your interest in this Program. If you have further questions, please contact me or your staff may call Raquel Snyder, in EPA's Office of Congressional and Intergovernmental Relations, at 202-564-9586.

Sincerely,


Mathy Stanislaus
Assistant Administrator

AL-10-000-1359

Gary C. Peters
MEMBER OF CONGRESS
9TH DISTRICT, MICHIGAN
www.peters.house.gov

Congress of the United States
House of Representatives
Washington, DC 20515

COMMITTEE ON FINANCIAL SERVICES
CAPITAL MARKETS, INSURANCE, AND
GOVERNMENT-SPONSORED ENTERPRISES
INTERNATIONAL MONETARY POLICY AND
TRADE
COMMITTEE ON SCIENCE AND
TECHNOLOGY
TECHNOLOGY AND INNOVATION

January 25, 2010

Bharat Mathur
Acting Regional Administrator
US EPA Region 5
77 W. Jackson Blvd.
Chicago, IL 60604

Re: EPA RFP #OAR-OTA-09-10

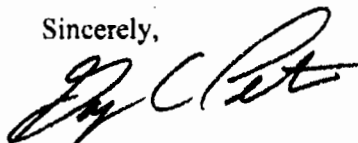
Dear Mr. Mathur,

I am writing in regards to a grant proposal submitted by Rochester Schools on behalf of the Rochester and Avon Schools Coalition under the National Clean Diesel Funding Assistance Program.

This grant award would help reduce school bus idling in the community and around schools and improve the air that our students breathe. In addition, it would reduce fuel consumption by approximately 20,000 gallons of gasoline per year, resulting in significant savings for taxpayers. The grant award would lower the emissions of dangerous emissions, such as fine particulate mater, CO2, and NOx. Finally, the proposal has the added benefit of protecting jobs in Oakland County and in other areas of Michigan, as the products utilized by this grant will be installed using U.S. labor and the idle reduction technologies are manufactured and assembled in Michigan. I feel strongly that this award supports our common goal of environmental stewardship and efficient use of tax dollars.

I urge you to give this application your fullest consideration.

Sincerely,



Gary C. Peters
Member of Congress

DISTRICT OFFICE
560 KIRKS BLVD
SUITE #105
TROY, MI 48064
(248) 273-4227
FAX (248) 273-4704

WASHINGTON OFFICE
1130 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-5802
FAX (202) 226-2356



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

FEB 24 2010

OFFICE OF
AIR AND RADIATION

The Honorable Gary C. Peters
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Peters:

Thank you for your letter of January 25, 2010, to Bharat Mathur, Acting Regional Administrator of the U.S. Environmental Protection Agency (EPA) Region 5 office. Your letter is in support of Rochester Community Schools, who is applying on behalf of Rochester and Avon Schools Coalition for federal grant assistance for a diesel emissions reduction project.

The request for applications for our recent National Clean Diesel Funding Assistance Program competition closed on December 8, 2009. EPA received the application from Rochester Community Schools before the deadline and it is therefore eligible to be considered for funding. EPA received 65 applications in response to the competition in EPA's Region 5 (which includes Michigan). These applications requested funding totaling approximately \$81 million. EPA is presently evaluating all grant applications and plans to announce the winners of the competition in the next few months.

EPA appreciates your interest in, and support of, the National Clean Diesel Campaign. The support and interest from members of Congress, as well as industry and corporate partners, educators, environmental groups, public health officials, and other community leaders who are committed to protecting our nation's health and modernizing America's in-use diesel fleet is important. This program allows us to work together to achieve the overall goal of reducing the public's exposure to air pollution from the existing fleet of diesel engines.

Again, thank you for your letter. If you have further questions, please contact me or your staff may call Diann Frantz in EPA's Office of Congressional and Intergovernmental Relations at (202) 564-3668.

Sincerely,

A handwritten signature in black ink, appearing to read "Gina McCarthy", is written over a horizontal line.

Gina McCarthy
Assistant Administrator



AL-11-201-9484

Congress of the United States

House of Representatives

Washington, DC 20515

November 17, 2011

The Honorable Lisa Jackson
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20004

Dear Administrator Jackson:

We are writing today to insist that the Environmental Protection Agency (EPA) delay the registration of fuels containing 15 percent ethanol (E15) until adequate testing has shown that E15 will not damage engines and that misfueling concerns have been fully addressed.

On June 1, 14 auto manufacturers were asked about the effects E15 on their engine operability. Without exception the manufacturers responded that the use of E15, even in their newest vehicles, would damage engines, void warranties, and reduce fuel efficiency. The original letter and the responses from the auto manufacturers are attached for your review.

Engine damage from E15 appears to be an even more significant risk in marine engines. In July 2009, The United States Coast Guard wrote to your agency to express its concerns with the introduction of higher ethanol blends. The Coast Guard argued that ethanol blended fuels were deteriorating components in the fuel system and causing fuel leaks. The letter went on to warn of the risk of fire and explosions:

Increasing the blend to E-15 can be expected to exacerbate any fuel system deterioration now being reported with E-10 blended gasoline. Fuel leaks such as those addressed above are a serious safety consideration because of the possibility of fuel accumulation in the bilges of these vessels causes an unacceptable level of risk for fire and explosion.¹

A recent report from the National Renewable Energy Laboratory (NREL) raises additional concerns regarding the use of E15 in marine engines.² NREL studied the effects of E15 in three different marine engines and documented serious problems in each. The report found that E15 caused the engines to run at significantly higher temperatures, which resulted in damage to the engines' valves and pistons. According to NREL, after two months of exposure to E15, "the signs of deterioration were evident." Further, NREL found that the tested engines "had poor run quality (intermittent misfire or partial

¹ Letter, United States Coast Guard to the Environmental Protection Agency (July 2, 2009).

² David Hilbert, A Study of the Effects of Running Gasoline with 15% Ethanol Concentration in Current Production Outboard Four-Stroke Engines and Conventional Two-Stroke, National Renewable Energy Lab (June 16, 2010 – June 30, 2011).


combustion events) when operated on E15 fuel after 300 hours of endurance."³ Indeed, one of the engines tested failed after 256 hours and could not even complete the durability tests.

While the EPA's E15 partial waiver is only applicable to cars and trucks produced in 2001 or later, the EPA must understand that it does not regulate in a theoretical vacuum. Ethanol is currently cheaper than gasoline.⁴ If E15 is registered by the EPA, then as with E10, it is likely to crowd out other fuels from the marketplace. Misfueling is not only inevitable, it may become unavoidable.

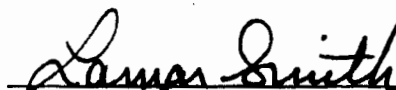
Furthermore, we do not believe that the EPA has sufficiently demonstrated that E15 is safe for cars and trucks manufactured after 2001. We are not alone in this concern. Recent testing by the Coordinating Research Council on engine durability showed that E15 could cause engine failure. Nonetheless, the EPA appears committed to allowing E15's introduction despite mounting evidence of potential harm.

Again, we urge you to delay the registration of fuels with 15 percent ethanol until sufficient testing can be completed to demonstrate that E15 is in fact safe for engines and that misfueling can be avoided.


Sincerely,


JAMES SENSENBRENNER, JR.
Member of Congress


GARY PETERS
Member of Congress


LAMAR SMITH
Member of Congress


DAN BENISHEK
Member of Congress


JIM COSTA
Member of Congress


PETER WELCH
Member of Congress



STEVE WOMACK
Member of Congress



HENRY CUELLAR
Member of Congress

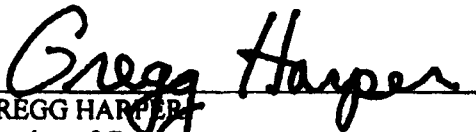
³ *Id.*

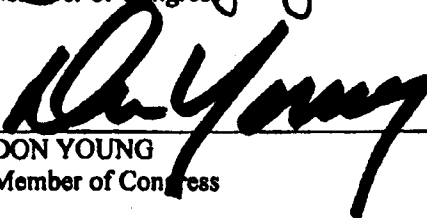
⁴ While the per gallon price of ethanol may be lower than gasoline, a gallon of ethanol contains only 70 percent as much energy as a gallon of gasoline. As a result, ethanol is generally more expensive than gasoline on a price per vehicle mile travelled.



BEN QUAYLE
Member of Congress


JIM MATHESON
Member of Congress

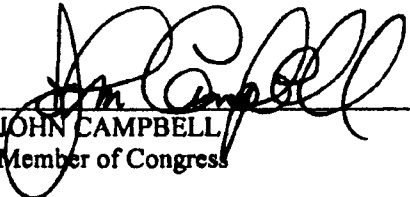

JOHN CONYERS
Member of Congress


GREGG HARPER
Member of Congress


DON YOUNG
Member of Congress

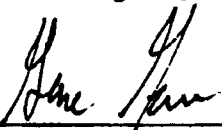

BILL FLORES
Member of Congress


TIM WALBERG
Member of Congress

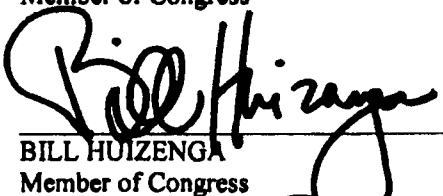

JOHN CAMPBELL
Member of Congress

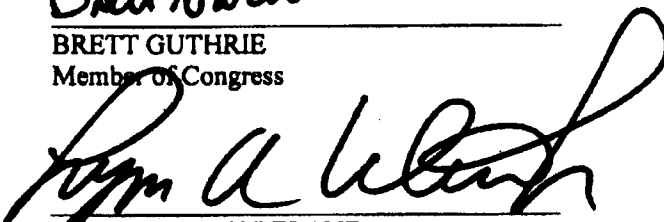

CHARLES GONZALEZ
Member of Congress

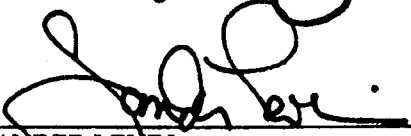

JUDY BIGGERT
Member of Congress


GENE GREEN
Member of Congress


BRETT GUTHRIE
Member of Congress

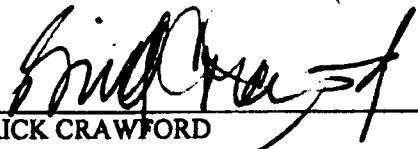

BILL HUIZENGA
Member of Congress


LYNN WESTMORELAND
Member of Congress


SANDER LEVIN
Member of Congress

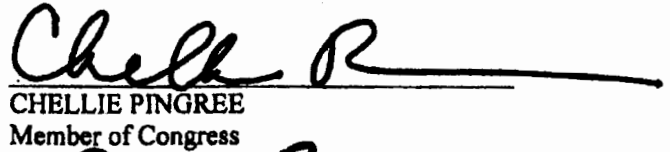

CANDICE MILLER
Member of Congress


TIM GRIFFIN
Member of Congress

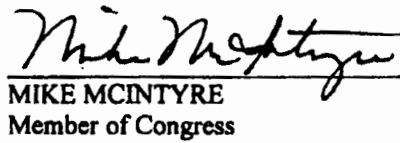

RICK CRAWFORD
Member of Congress



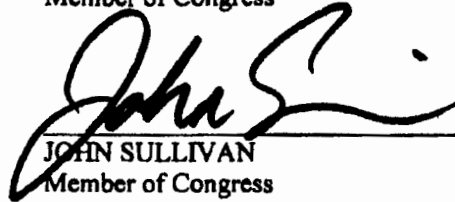
TOM ROONEY
Member of Congress



CHELLIE PINGREE
Member of Congress



MIKE MCINTYRE
Member of Congress



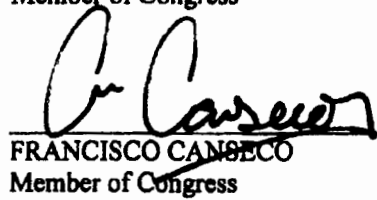
JOHN SULLIVAN
Member of Congress



PAUL BROUN
Member of Congress



ALAN NUNNELEE
Member of Congress



FRANCISCO CANSECO
Member of Congress

Enclosure

F. JAMES SENSENBRENNER, JR.

FROM DISTRICT, WISCONSIN

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE ON
CRIME, TERRORISM, AND
HOMELAND SECURITY
CHAIRMAN

COMMITTEE ON SCIENCE, SPACE,
AND TECHNOLOGY
VICE CHAIRMAN



Congress of the United States

House of Representatives

Washington, DC 20515-4905

June 1, 2011

WASHINGTON OFFICE

Room 2449

RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-4905
202-225-5101

DISTRICT OFFICE

120 BUSINESS WAY, ROOM 114
BIRMINGHAM, AL 35203-6294
202-784-1111

OUTSIDE AIR QUALITY MEASUREMENT
CALLING AREA
1-800-242-1119

WEBSITE

<http://www.house.gov/judiciary>

Mr. Dan Akerson
Chairman and Chief Executive Officer
General Motors
300 Renaissance Center
Detroit, MI 48265

Dear Mr. Akerson:

As you know, the Environmental Protection Agency (EPA) recently approved a blend of 15 percent ethanol (E15) for use in cars and trucks of Model Year 2001 or later. This is a 50 percent increase from the current allowable amount.

I introduced legislation in this Congress to block the EPA's authority to increase ethanol blends beyond 10 percent. In addition to the environmental and health issues related to this increase, I am concerned that EPA has not adequately considered the negative effects this could have on engines.

To help facilitate my work on the House Committee on Science, Space, and Technology, and to address the concerns of my constituents, I would greatly appreciate your response to the following questions:

1. Are you confident that your cars and trucks from model year 2001 and later will not be damaged by or wear more quickly from use of E15?
2. Will your current warranty cover potential problems stemming from the use of E15 in cars and trucks from model year 2001 and later?
3. Will E15 affect the fuel efficiency of your engines?

E15 could become available within the year, and your answers could be of great value in reducing consumer confusion. I appreciate your prompt response. If you have any questions, please contact Matt Bisenius at (202) 225-5101.

Sincerely,

F. JAMES SENSENBRENNER, JR.

Vice-Chairman, House Committee on Science, Space, and Technology

Mr. Dan Akerson
June 1, 2011
Page 2

cc: The Honorable Ralph Hall
Chairman, Committee on Science, Space, and Technology

The Honorable Eddie Bernice Johnson
Ranking Member, Committee on Science, Space, and Technology

BMW Group

June 23, 2011

The Honorable F. James Sensenbrenner, Jr.
Vice-Chairman
House Committee on Science, Space, and Technology
United States House of Representatives
Washington, DC 20515-4905

Dear Mr. Vice-Chairman:

This is in response to your June 1, 2011 letter regarding the recent approvals by the EPA to permit a gasoline blend of 15 percent ethanol (E15) for use in model year 2001 and later passenger cars and light trucks. Our Chairman asked me to respond to your request.

On behalf of BMW of North America, LLC (BMW NA), please find below your questions followed by our answers.

1. *Are you confident that your cars and trucks from model year 2001 and later will not be damaged by or wear more quickly from use of E15?*

BMW NA Response: No. BMW Group engines and fuel supply systems can be damaged by misfueling with E15. BMW has designed its engines and fuel systems to operate with gasoline up to E10 and our owners have already experienced damage when, for example, a gasoline terminal mixes greater than 10% ethanol into the tanker. As a result of periodic damage, BMW NA has issued Service Information Bulletins (attached) warning of potential damage, and our dealers have ethanol test kits to measure the percentage of ethanol in the vehicle's tank.

Damage appears in the form of very rapid corrosion of fuel pump parts, rapid formation of sludge in the oil pan, plugged filters, and other damage that is very costly to the vehicle owner.

As you would expect, engines and fuel systems already on the road cannot be retroactively designed to be compatible with ethanol blends higher than used for the original design.

2. *Will your current warranty cover potential problems stemming from the use of E15 in cars and trucks from model year 2001 and later?*

BMW NA Response: No. Our warranty states that it does not cover malfunctions caused by use of fuels containing more than 10% ethanol. Our dealers have an alcohol detection tool to identify ethanol blends that exceed the allowable 10% maximum. We anticipate that the owners of vehicles damaged by higher levels of ethanol will be frustrated, notwithstanding the warnings contained in our warranty booklets.

Company
BMW of North America, LLC

BMW Group Company

Office address

200 Chestnut Ridge
Road
Woodcliff Lake, NJ 07677

Telephone
(201) 571-5071

Fax
(201) 571-5479

E-mail
Tom.Baloga@bmwna.com



3. Will E15 affect the fuel efficiency of your engines?

Response: Yes. Engine compression ratios, turbo-charging pressures, and control mapping are designed to optimize fuel economy, performance, and emissions based on a maximum of E10. Since ethanol has about 34% less energy than gasoline, an engine designed to run on up to E10 will suffer a corresponding loss in fuel economy. More importantly, use of ethanol blends higher than E10 in the wrong engines will result in drivability problems at high and low temperatures including hard starting, stalling, and hesitation.

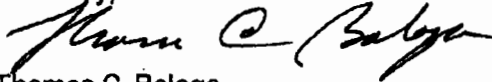
Recommendations

BMW NA respectfully makes the following recommendations if increased percentages of ethanol in gasoline are required:

- Legacy E10 gasoline must be required by law for the next 15 years to accommodate vehicles, motorcycles, and other power equipment currently in use that would be damaged by E10+.
- Implementation of effective efforts to prevent misfueling, including requiring strong language on pump labels on E10+ pumps that warn of damage from misfueling and advise users to "Check your owner's manual for ethanol warnings," and consider the use of a different nozzle size for E10+ pumps to diminish the chance of inadvertent misfueling.
- An ethanol misfueling owner reimbursement clearinghouse, funded by the ethanol industry, should be established by law to allow owners to recoup repair costs from misfueling damage. Vehicle OEMs and gas station owners should be indemnified from damages caused by misfueling.
- By law, before a gas station storage tank is filled with ethanol blends greater than E0 or E10 for the first time, the tank must be cleaned and filters installed to prevent newly-dissolved dirt caused by water and alcohol from being pumped into consumers' tanks.
- In general, we favor the introduction of an increase to E20 in ethanol content together with a 5 year minimum lead time for engine and fuel system developers.

If you or your staff has further questions, please contact me at 201-571-5071.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas C. Baloga", written in a cursive style.

Thomas C. Baloga
Vice President, Engineering US

cc: The Honorable Ralph Hall
Chairman, Committee on Science, Space, and Technology

The Honorable Eddie Bernice Johnson
Ranking Member, Committee on Science, Space, and Technology

Enclosures



Service Information

Fuel Systems

B13 05 10

Page 1 of 2

April 2011

Technical Service

This Service Information bulletin replaces SI B13 04 06 dated August 2006.

SUBJECT

Testing Fuel Composition

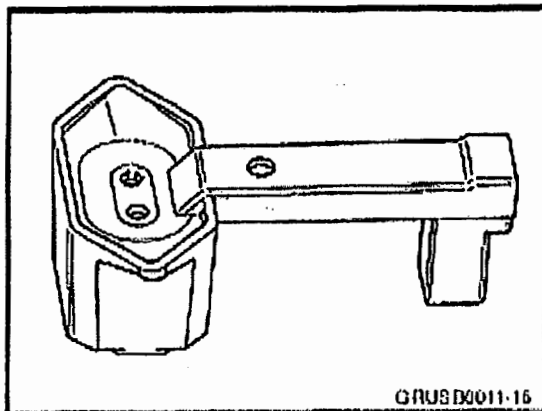
MODEL

All

SITUATION

Fuel blends containing a high percentage of alcohol (10% and above), mainly ethanol, are becoming more commercially available. Usage of E85 or any other high alcohol content blend (e.g., E30) in BMW vehicles will cause various drivability complaints (cold start problems, stalling, reduced performance, poor fuel economy, etc.); may cause excessive emissions; and may cause irreversible damage to engine, emission control and fuel delivery systems due to incompatibility of materials with alcohols. Refer to SI B13 01 06 Alcohol Fuel Blends in BMW Vehicles for complete details.

In order to correctly diagnose various drivability complaints caused by fuel blends with a high level of ethanol content, BMW is providing you with an electronic fuel composition tester.



Fuel Composition Tester
P/N 83 30 0 439 685

Refer to B04 04 11 for more details.

PROCEDURE

Safety Precautions:

- Gasoline is highly flammable; observe normal precautions for working with flammable liquids. Perform all tests away from any source of ignition. A class B fire extinguisher must be available.
- Wear protective eye protection with side shields and Nitrile rubber gloves for handling the tester.
- Please adhere to any applicable OSHA regulations when handling gasoline.
- Dispose of the mixture according to local, state and federal regulations.

Refer to the attached procedure for testing the fuel composition of gasoline.

WARRANTY INFORMATION

Component damage, malfunctions, or any drivability problems verified to be caused by the use of fuels containing more than 10% ethanol (or other oxygenates with more than 2.8% oxygen by weight) will not be covered under BMW warranties as this is not considered a defect in materials or workmanship. Always document the results found on the vehicle repair order whenever performing this test.



Service Information

Fuel Systems

B13 01 06

Page 1 of 2

May 2011

Technical Service

This Service Information bulletin supersedes SI B13 01 06 dated September 2006.

Changes to this revision are identified by a black bar.

SUBJECT

Alcohol Fuel Blends in BMW Vehicles

MODEL

All with gasoline engines

SITUATION

Fuel blends containing a high percentage (above 10%) of alcohol, mainly ethanol, are becoming more commercially available. Customers inquire about the possibility of using alcohol fuels (e.g., E85) in BMW vehicles.

INFORMATION

Fuels containing up to and including 10% ethanol; or other oxygenates with up to 2.8% oxygen by weight, that is, 15% MTBE (methyl tertiary butyl ether); or 3% methanol plus an equivalent amount of cosolvent will not void the applicable warranties with respect to defects in materials or workmanship.

Usage of such alcohol fuel blends may result in drivability, starting, and stalling problems due to reduced volatility and lower energy content of the fuel. Those drivability problems may be especially evident under certain environmental conditions such as high or low ambient temperatures and high altitude.

Only specially adapted vehicles (FFV - Flexible Fuel Vehicles) can run on high alcohol fuel blends. BMW, for the various technical and environmental reasons explained below, does not offer FFV models.

Usage of E85 or any other high-alcohol content blend (e.g., E30) in BMW vehicles will cause various drivability complaints (cold-start problems, stalling, reduced performance, poor fuel economy, etc.); may cause excessive emissions; and may cause irreversible damage to engine, emission control and fuel delivery systems due to incompatibility of materials with alcohols.

General Notes Regarding E85 Fuel

E85 fuel contains 85% (by volume) ethanol and 15% gasoline. Ethanol can be produced chemically from ethylene or biologically from grains, agricultural wastes, or any organic material containing starch or sugar. In the US, ethanol is mainly produced from corn and is classified as a renewable fuel.

Similar to gasoline, ethanol contains hydrogen and carbon with additional oxygen molecules built into its chemical chain. This chemical structure makes ethanol's burning process slightly cleaner than gasoline (lower tailpipe emissions).

On the other hand, due to lower carbon content, ethanol provides 27% less energy (for identical volume) than gasoline, resulting in reduced fuel economy of E85 vehicles (approximately 22% higher consumption). Increased fuel consumption requires appropriately enlarged fuel tank capacities (usually a 30% increase), and specific DME calibrations for E85 lower stoichiometric air/fuel ratio (10 compared to 14.7 for gasoline engines).

E85 fuel volatility is typically lower than gasoline (RVP 6-10 psi, compared to 8-15 psi for gasoline). Lower fuel volatility will reduce vehicle evaporative emissions, but it may cause cold-starting problems, especially with lower ambient temperatures.

Under certain environmental conditions, mainly lower ambient temperatures, ethanol separates from the gasoline/alcohol mixture and absorbs water. The ethanol-absorbed water molecules are heavier than gasoline or ethanol; they remain at the bottom of fuel tank and, when introduced into the combustion process, they tend to form an extremely lean mixture resulting in misfire, rough idle and cold-starting problems.

Certain materials commonly used with gasoline are totally incompatible with alcohols. When these materials come in contact with ethanol, they may dissolve in the fuel, which may damage engine components and may result in poor vehicle drivability.

Some metals (e.g., zinc, brass, lead, aluminum) become degraded by long exposure to ethanol fuel blends. Also, some nonmetallic materials used in the automotive industry such as natural rubber, polyurethane, cork gasket material, leather, polyvinyl chloride (PVC), polyamides, methyl-methacrylate plastics, and certain thermo and thermoset plastics degrade when in contact with fuel ethanol.

In order to safely and effectively operate a motor vehicle running on E85, the vehicle must be compatible with alcohol use. Some manufacturers have developed vehicles called FFV (Flexible Fuel Vehicle) that can operate on any blend of ethanol and gasoline (from 0% ethanol and 100% gasoline to 85% ethanol and 15% gasoline). Ethanol FFVs are similar to gasoline vehicles, with main differences in materials used in fuel management and delivery systems, and DME control module calibrations. In some cases, E85 vehicles also require special lubricating oils.

Aftermarket conversions of gasoline-powered vehicles to ethanol-fueled vehicles, although possible, are not recommended, due to internal materials and DME software incompatibility as well as the high costs of conversion.

In order to correctly diagnose various drivability complaints caused by fuel blends with a high level of ethanol content, refer to SI B13 05 10, Testing Fuel Composition for applicable tools and procedures.

WARRANTY INFORMATION

Components damage/malfunctions or any drivability problems caused by the use of fuels containing more than 10% ethanol (or other oxygenates with more than 2.8% oxygen by weight) will not be covered under BMW warranties with respect to defects in materials or workmanship.



Jody Trapasso
Senior Vice President
External Affairs

June 23, 2011

The Honorable F. James Sensenbrenner, Jr.
Vice-Chairman
House Committee on Science, Space and Technology
U.S. House of Representatives
2449 Rayburn House Office Building
Washington, DC 20515-4905

Dear Vice-Chairman Sensenbrenner:

Sergio Marchionne asked me to respond to your June 1, 2011 letter requesting information about the Environmental Protection Agency's (EPA or Agency) decisions to allow the use of 15 percent ethanol (E15) in passenger cars and light trucks beginning with the 2001 Model Year (MY).

Beginning in the late 1970's, Chrysler was one of the first automakers to endorse and support the use of "gasohol" (i.e., gasoline with up to 10 percent ethanol, or E10). Since then, all of our conventional gasoline-fueled cars and trucks have been designed and warranted for E10 operation. Chrysler has also produced Flexible-Fuel Vehicles (FFVs) since the 1998 MY and voluntarily committed that 50 percent of our fleet produced by 2012 will be capable of operating on renewable fuels. These vehicles are designed, warranted and developed to operate on gasoline, E85 ethanol or any blend in between.

While Chrysler has been a strong advocate of renewable fuels, we have concerns about the potential harmful effects of E15 in engines and fuel systems that were not designed for use of that fuel. In cooperation with other automakers, we have been conducting tests of vehicles in the 2001 and later model year vintage to assess the effect of E15 on their engines and fuel systems. Prior to EPA's decisions to allow E15, we had requested that the Agency defer from making any decisions regarding higher ethanol blends for conventional vehicles until existing testing programs have been completed and the data fully evaluated.



Susan M. Cischke
Group Vice President-Sustainability,
Environment & Safety Engineering

World Headquarters
One American Road
Dearborn, MI 48126-2798 U.S.A

June 8, 2011

The Honorable James Sensenbrenner, Jr.
Vice-Chairman, House Committee on
Science, Space, and Technology
Rayburn House Office Building, Room 2449
Washington, D.C. 20515

Dear Vice-Chairman Sensenbrenner:

Alan Mulally has asked me to respond to your letter of June 1 regarding the introduction of E15 fuel into the marketplace.

At Ford, we recognize the need to increase the use of biofuels to meet the country's goals of energy security and reduced greenhouse gas emissions. Ford has produced, and continues to offer, a substantial number of flexible fuel vehicles (FFV) capable of operating on E85 (85% ethanol) across many models. The renewable fuel standard, passed into law in 2007, requires 36 billion gallons of biofuels to be blended into transportation fuel by 2022. In order to meet that goal, the country needs to increase the use of ethanol beyond the 10% (E10) used today, but needs to do so in a fashion that does not have a negative impact on the legacy fleet.

This can be accomplished by taking a prospective approach to the introduction of mid-level blends whereby manufacturers, provided with enough lead time, can design new vehicles with the capability of accommodating the new fuel. Likewise, the lead time will give fuel providers an opportunity to prepare to make the new fuel available nationwide. In contrast, an approach in which fuel specifications are changed abruptly, and the new fuel is allowed to be used on vehicles that were not designed for it, is likely to lead to undesirable outcomes for consumers, the new fuel, and the legacy vehicles.

Below are answers to your specific questions:

Q1 Are you confident that your cars and trucks from model year 2001 and later will not be damaged by or wear more quickly from use of E15?

Ford does not support the introduction of E15 into the marketplace for the legacy fleet. The entire legacy fleet of non-FFVs, including vehicles built in model year 2001 and later, consists of vehicles that were designed to operate in a range of fuels from pure gasoline up to a blend of 10 percent ethanol (E10) -- not E15. We remain concerned that legacy fleet, operating on a fuel the vehicles were not designed for, will not meet customer expectations for quality, durability, performance and fuel economy, as well as legal requirements to meet emission standards and

on-board diagnostic regulations. Efforts to increase renewable fuel use must be carried out in a way that does not create undue risks and problems for existing vehicles on the road.

Q2 Will your current warranty cover potential problems stemming from the use of E15 in cars and trucks from model year 2001 and later?

The owners' manuals for these legacy vehicles do not identify E15 as a fuel that may be used in the vehicles. They go on to say that the use of a fuel not approved in the owners' manual is considered misfueling, and that any damage resulting from misfueling is not covered by the warranty. To the extent that E15 is introduced into commerce, we will work with our customers and dealerships as best we can to address any potential concerns, but we cannot redesign vehicles that have already been built and sold.

Q3 Will E15 affect the fuel efficiency of your engines?

Going from the generally available E10 fuel to E15 will not have a significant impact on the efficiency of the engine, but because ethanol contains less energy per a given volume of fuel, customers will experience slightly lower miles per gallon when driving on E15 versus E10.

Ford appreciates the opportunity to provide our views on this subject. Thanks again for your continued support of the automotive industry.

Sincerely,



Susan M. Cischke
Group Vice President
Sustainability, Environment & Safety Engineering
Ford Motor Company

cc: The Honorable Ralph Hall
Chairman, Committee on Science, Space, and Technology

The Honorable Eddie Bernice Johnson
Ranking Member, Committee on Science, Space, and Technology



Robert E. Ferguson
Vice President
Global Public Policy

General Motors Company
25 Massachusetts Avenue, NW
Suite 400
Washington, DC 20001
Phone: 202-775-5067
Fax: 202-775-5023

Via Fax: 202-225-3190

July 6, 2011

The Honorable F. James Sensenbrenner, Jr.
United States House of Representatives
2449 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Sensenbrenner:

Thank you for your letter of June 1, 2011, to General Motors Chairman and CEO, Dan Akerson, regarding EPA's recent approval of a partial waiver for use of E15 in light duty cars and trucks for model years 2001 and later. The questions that you raise in your letter are certainly timely and important.

General Motors, as part of the Alliance of Automobile Manufacturers, has commented extensively to EPA on the potential adverse effects of increasing ethanol content in gasoline by 50% and allowing its use in vehicles not designed for its use. In addition to the concerns expressed in our specific responses to your questions regarding the 2001 and newer model year products provided below, we are very concerned about the possibility of mis-fueling in pre-2001 vehicles and our marine products in contravention of EPA intentions and regulations. It is clear to us, as it is to others, that the controls envisioned by EPA will not prevent such mis-fueling situations from occurring.

With regard to the specific questions raised in your letter, the following are our specific responses:

1. Are you confident that your cars and trucks from model year 2001 and later will not be damaged by or wear more quickly from the use of E15? **Response:** No, we are not confident that our cars and trucks from model year 2001 and later will be undamaged by the use of E15 nor are we confident that they will not wear more quickly from the use of E15. As Administrator Jackson made clear in her remarks, EPA's analysis focused on the effects of E15 on emissions systems rather than overall durability. GM, along with many others, encouraged EPA to wait for on-going testing to be completed prior to making a decision on the E15 waiver request.

The Coordinating Research Council (CRC)* is managing several on-going tests. One of these has documented deterioration in engine valve sealing in late model vehicles as a result of E15 and E20 usage. This deterioration was expected to a degree, because modifications were made to these components for use in vehicles designed to operate on E85. Some proportion of vehicle engines that were not designed for E85 use are likely to prove sensitive to increased ethanol levels and the CRC testing is finding that to be the case.

July 6, 2011

Page 2

Another CRC test program has discovered anomalous performance of tank fuel system components. Again, many of these components are upgraded for ethanol tolerance on Flexfuel vehicles. A program to follow-up these screening tests is now being started to develop statistical data.

CRC testing also predicts an increase in vehicle performance problems that will trigger illumination of the vehicle Malfunction Indicator Light (MIL) as a result of increased ethanol in the fuel. This malfunction would not represent a real vehicle fault and the correction would be a return to the recommended fuel. Concerns have been raised with the EPA by the New York Department of Environmental Quality, among others, about how these false MILs would affect driver's response to illuminated MILs and the state inspection and maintenance programs that rely on these signals. Further testing to confirm this result is on-going.

There are five CRC test programs on-going. Three of these, Base Engine Durability, On-Board Diagnostics (OBD) Evaluation, and Vehicle Fuel Systems Durability, are expected to finish in 2011. The other two, Evaporative Emissions Durability and Emissions Inventory and Air Quality Modeling, are expected to complete in 2012. These are lengthy test programs because durability effects over a substantial portion of a vehicle's life cannot be evaluated quickly nor without rigorous vehicle testing.

2. Will your current warranty cover the potential problems stemming from the use of E15 in cars and trucks from model year 2001 and later? **Response:** Our current owner's manuals instruct owners not to use fuel containing more than 10% ethanol unless they are FlexFuel vehicles. Not following these instructions would constitute mis-fueling. Vehicle damage attributed to mis-fueling would not be covered under the new vehicle warranty.

3. Will E15 affect the fuel efficiency of your engines? **Response:** The increased ethanol content will affect vehicle volumetric fuel economy (MPG), which is what our customers are most concerned about. Ethanol has only two thirds the volumetric energy content of gasoline. Adding 5% ethanol to E10, making E15, should reduce vehicle volumetric fuel economy by approximately 1.7%. This would make a total reduction relative to gasoline of approximately 5.1%. DOE testing cited by EPA in its E15 waiver has extensively documented fuel economy losses that match these theoretical predictions.

We hope these answers help frame the issues that still need to be fully addressed in evaluating the appropriateness of EPA granting an E15 waiver. Thank you for inquiring about these important issues.

Sincerely,

Robert E. Ferguson

* <http://www.crao.org/about/index.html> ,
<http://www.crao.org/news/Mid%20Level%20Ethanol%20program/index.html>

HONDA

Honda North America, Inc.
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Washington, D.C. 20001
Phone (202) 681-4400

June 13, 2011

Hon. F. James Sensenbrenner, Jr.
Vice Chairman
Committee on Science, Space, and Technology
House of Representatives
Washington, D.C. 20515-4905

Dear Mr. Vice Chairman:

Mr. Tetsuo Iwamura, President and Chief Executive Office of American Honda Motor Company, Inc., has asked that I respond to your June 1, 2011, letter regarding the Environmental Protection Agency's recent approval of a blend of 15 percent ethanol (E15) for use in cars and trucks of Model year 2001 or later. You have raised the following three questions:

- 1. Are you confident that your cars and trucks from model year 2001 and later will not be damaged by or wear more quickly from use of E15?**

As you know, the Clean Air Act requires motor vehicle manufacturers to certify that the vehicles they sell will meet or exceed emissions standards in effect at the time each vehicle is introduced into commerce. There are specific testing protocols that must be employed for certification, including specifications for fuels used in the vehicles during testing. As a result, we engineer our vehicles to meet or exceed the standards utilizing the prescribed test fuel, which never has contained ethanol. However, given the fuels prevalent in the market over the last decade, the engines in Model Year 2001 later vehicles were built to operate on fuels with ethanol concentrations of up to 10% (E10).

Authorizing the sale of E15 in 2010 for vehicles built after 2001 presents an obvious problem for auto manufacturers – vehicle engines were not designed or built to accommodate the higher concentrations of ethanol. The differences between E10 and E15, including E15's higher oxygen content, lower energy content and heightened corrosivity, require use of more robust component materials and different engine calibrations. The engines in our Model Year 2001 and later vehicles do not have those necessary materials or calibrations.

In our owner's manuals, Honda requires its customers to refuel their vehicles with E10 or below. The impact of E15 on our engines is not completely known at this stage, although there appears to be the potential for engine failure. During the EPA's consideration of the partial waiver approving the use of E15, Honda and its trade association, the Association of International Automobile Manufacturers (AIAM) (now known as Global Automakers), urged the agency to defer its decision until such time as the testing program on the impact of E15 on vehicles is complete. The testing is being managed by the Coordinating Research Council (CRC), an independent organization funded by the automobile and oil industries, with limited contributions from the U.S. government. Honda is a member of the CRC and active in its testing.

It is unfortunate that EPA did not wait for the results of the seven major test programs that are being undertaken by CRC. These programs include critical tests for engine durability and fuel system material compatibility. Potential E15-related failures have already been identified in some of these programs, including the possible confounding of a vehicle's on-board diagnostic system. This can lead to illumination of the "check engine" light when in fact there is no malfunction, or the failure of the light to illuminate when there is a problem.

Because E15 has not been in the market and our engines were not designed for its use, we do not have a detailed understanding of the implications of the widespread use of the fuel in our vehicles. However, these early results from the CRC testing cause us concern. The CRC studies are due to be completed beginning in late-2011.

2. Will your current warranty cover potential problems stemming from the use of E15 in cars and trucks from model year 2001 and later?

As noted above, Honda products were designed, built and certified to operate on E10 and below. Use of higher blends could compromise the vehicle's warranty.

3. Will E15 affect the fuel efficiency of your engines?

Ethanol contains less energy than gasoline on a gallon-for-gallon basis. Accordingly, customers can expect to experience about 5% - 6% inferior fuel economy using E15 rather than E0 (the difference between E10 and E15 will be smaller). Customers using E85 (in a vehicle designed to use E85) instead of E10 will experience about a 27% decrease in fuel economy. For example, a vehicle that gets 300 miles to the tank on today's gasoline will likely achieve only about 219 miles to the tank with E-85.

If you have further questions regarding E15, please feel free to contact me at (202) 661-4400.

Sincerely,



Edward B. Cohen
Vice President
Government & Industry Relations

cc: The Honorable Ralph Hall, Chairman
Committee on Science, Space, and Technology

The Honorable Eddie Bernice Johnson, Ranking Member
Committee on Science, Space, and Technology



HYUNDAI MOTOR COMPANY

Washington Office
1660 L Street, NW, Suite 620
Washington, DC 20036
TEL: (202) 296-5550 FAX: (202) 296-6436

June 30, 2011

The Honorable F. James Sensenbrenner
Vice-Chairman
Committee on Space, Science and Technology
United States House of Representatives
2449 Rayburn House Office Building
Washington, DC 20515-4905

Dear Vice-Chairman Sensenbrenner:

Thank you for your June 1, 2011 letter to John Krafcik, President, Hyundai Motor America ("Hyundai") regarding the Environmental Protection Agency's (EPA) partial waiver decisions permitting the use of gasoline blended with up to 15 percent ethanol (E15) in 2001 model year (MY) and newer passenger cars and light-duty trucks.

Hyundai recommends that before any new fuel is introduced into the marketplace, comprehensive, independent and objective scientific testing be completed to show that the fuel will not increase air pollution, harm engines, or endanger consumers. Further, Hyundai recommends the establishment of adequate protections to prevent misfueling.

Your letter asks for responses to several questions regarding E15. The questions and Hyundai's responses are shown below.

1. Are you confident that your cars and trucks from model year 2001 and later will not be damaged by or wear more quickly for use of E15?

The EPA tests failed to conclusively show that the vehicles will not be subject to damage or increased wear. Hyundai therefore has no basis to conclude that its vehicles will not be damaged by or wear more quickly due to the use of E15.

2. Will your current warranty cover potential problems stemming from the use of E15 in cars and trucks from model year 2001 and later?

Hyundai owner's manuals state: "Vehicle damage or drivability problems may not be covered by the manufacturer's warranty if they result from the use of gasohol containing more than 10 percent ethanol..." The manuals also state "Do not use gasohol (gasoline-ethanol mixture) containing more than 10 percent ethanol..."

3. Will E15 affect the fuel efficiency of your engines?

E15 will negatively affect the fuel efficiency of Hyundai engines because ethanol has lower energy content than gasoline.

Thank you for the opportunity to share our recommendations and to respond to your questions. If you have any questions about this information, please me at kmhennessey@hyundai-dc.com or at 202-296-5550.

Sincerely,



Kathleen M. Hennessey
Vice President – Government Affairs

cc: The Honorable Ralph Hall
Chairman, Committee on Science, Space and Technology

The Honorable Eddie Bernice Johnson
Ranking Member, Committee on Science, Space and Technology

John Krafcik
President, Hyundai Motor America



Kia Motors Corporation Washington Office
1660 L Street, NW, Suite 201
Washington, DC 20036
Tel: 202-503-1515 Fax: 202-503-1516

July 1, 2011

The Honorable F. James Sensenbrenner, Jr.
Vice-Chairman, House Committee on Science, Space and Technology
United States House of Representatives
Room 2499
Rayburn House Office Building
Washington, DC 20515-5101

Dear Vice-Chairman Sensenbrenner,

Thank you for your June 1, 2011 letter to Kia Group President and Chief Executive Officer Byung Mo Ahn inquiring on Kia's views of ethanol blends and the Environmental Protection Agency (EPA) efforts to change the levels of use by 50 percent or to an E15 level. We are honored to be asked to comment on your work for the House Committee on Science, Space and Technology and are pleased to respond to your specific questions on E15.

Overall, Kia believes more testing is required before introducing a new fuel into the marketplace. Scientific review can determine the positive and negative impact a new fuel can have on air quality, consumer acceptance and engine durability.

We have addressed your questions outlined in the June 1 letter:

Question One on confidence that our cars and trucks from model year 2001 and later will not be damaged by or wear out more quickly from the use of E15; EPA testing failed to determine that vehicles will not be subject to damage or increased wear. Therefore Kia has no basis to conclude that vehicles will not be damaged by or wear out faster due to the use of E15.

Question Two concerning current warranties and potential problems stemming from the use of E15 in cars and trucks from model year 2001 and later; On pages 9-10 of the Warranty Manual, Kia states: "Improper maintenance or the use of other than the specified fuel, oil or lubricants recommended in your Owner's Manual. It is your obligation to ensure that you obtain all fuels, oils and lubricants from reliable vendors using quality products which meet the Kia specifications identified in your Owner's Manual. In the event that problems result to your vehicle due to service from vendors who use reduced quality products, your vehicle warranties will not provide coverage."



Kia Motors Corporation Washington Office
1660 L Street, NW, Suite 201
Washington, DC 20036
Tel: 202-503-1515 Fax: 202-503-1516

Kia's Owner's Manual in section 1, page 3 provides that owner's shouldn't use anything greater than 10% ethanol and that a 15% mixture will damage the vehicle. (Kia Warranty and Owner's Manuals are attached for your review)

Question Three on the effect of E15 on the fuel efficiency of our engines; Kia believes that E15 will lead to degradation in fuel efficiency due to the lower energy content than gasoline.

Thank you for your letter and the opportunity to share our views on E15. If you have further comments or questions, I can be reached on 202 503-1515 or jta@kia-dc.com.

Sincerely,

A handwritten signature in black ink, appearing to read "J. T. Anderson", with a long horizontal flourish extending to the right.

John T. Anderson
Director, Kia Government Affairs

cc: The Honorable Ralph Hall
Chairman, Chairman Committee on Science, Space and Technology

The Honorable Eddie Bernice Johnson
Ranking Member, Committee on Science, Space and Technology

Mr. Byung Mo Ahn
Group President and Chief Executive Officer
Kia Motors America

Mazda North American Operations

James J. O'Sullivan
President and CEO



June 7, 2011

The Honorable F. James Sensenbrenner
Vice-Chairman
House Committee on Science, Space and Technology
United States House of Representatives
2449 Rayburn House Office Building
Washington, D.C. 20515-4905

Dear Vice-Chairman Sensenbrenner:

We appreciate receiving your June 1, 2011 letter regarding EPA's two partial waiver decisions that permit the sale of gasoline containing up to 15 percent ethanol (E15) for 2001 model year (MY) and newer passenger cars and light trucks. We believe that increasing the allowable ethanol content in gasoline by 50 percent will have unintended consequences for auto manufacturers, consumers, fuel suppliers and distributors. Mazda's primary concern about an E15 waiver is the overriding need for consumer satisfaction.

Specifically, your letter asks for responses to the following three questions. Our responses are provided below.

- 1. Are you confident that your cars and trucks from model year 2001 and later will not be damaged by or wear more quickly from use of E15?**

No, we are not at all confident that there will not be damage to MY 2001 and later vehicles that are fueled with E15. In our view, the record fails to demonstrate that motor vehicles (other than FFVs) would not be damaged and result in failures when run on E15. No Mazda vehicles were included in the models tested by the government.

- 2. Will your current warranty cover potential problems stemming from the use of E15 in cars and trucks from model year 2001 and later?**

Mazda vehicles covered by the waiver were designed to use a maximum of E10. The direction in the owner guides of Mazda vehicles reflects the fact that they were not designed to run on E15. EPA regulations allow manufacturers to deny warranty coverage for vehicles damaged due to mis-fueling (based on the owner's manual instructions). We are encouraging Mazda vehicle owners to continue to consult their owners' manuals for information regarding the appropriate fuel for their vehicles.

Mazda owner's manuals specify the following:

"Your vehicle can use only oxygenates that contain no more than 10 percent ethanol by volume. Harm to your vehicle may occur when ethanol exceeds this recommendation, or if the gasoline contains any methanol."

"Vehicle damage and drivability problems resulting from the use of the following may not be covered by the Mazda warranty."

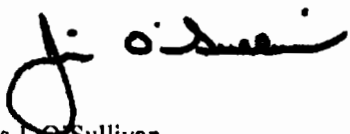
- *Gasohol containing more than 10% ethanol.*
- *Gasoline or gasohol containing methanol.*
- *Leaded fuel or leaded gasohol."*

3. Will E15 affect the fuel efficiency of your engines?

Yes. A gallon of ethanol has lower energy content than a gallon of gasoline. Therefore, any increase in ethanol content will necessarily degrade fuel economy.

Thank you for considering our views. If you have any questions about this information, please contact Barbara Nocera at bnocera@mazdausa.com or 202.467.5096.

Sincerely,



James J. O'Sullivan

cc: The Honorable Ralph Hall
Chairman, Committee on Science, Space, and Technology

The Honorable Eddie Bernice Johnson
Ranking Member, Committee on Science, Space, and Technology



Mercedes-Benz

Mercedes-Benz USA, LLC

Ernst H. Lieb

President and CEO

June 10, 2011

The Honorable F. James Sensenbrenner, Jr.
2449 Rayburn House Office Building
Washington, DC 20515-4905

Dear Congressman Sensenbrenner:

Thank you for your letter regarding the Environmental Protection Agency's (EPA) decision to approve E15 for use in cars and trucks of Model Year 2001 or later. I appreciate the opportunity to respond to your inquiry.

Biofuels play an important part in strengthening our nation's energy security. But, like you, I am concerned over the EPA's decision to grant a waiver for E15 use in certain model year cars and trucks. A premature introduction of E15 into the marketplace will heighten consumer confusion and undercut studies already underway that aim to evaluate the effects of increased ethanol blends on vehicle parts and systems.

As you may know, numerous organizations across the United States have commented on the EPA's decision. Automakers are not alone in voicing their opposition. Among others, the auto industry is joined by organizations representing agriculture, small engine manufacturers, and small business owners in uniformly opposing this premature decision on ethanol.

Throughout its operations in the U.S., Mercedes-Benz has provided the most advanced engine and emission control systems to meet the requirements of the U.S. market. All current Mercedes-Benz fleet vehicles and series model lines up to MY 2011 are designed and tested for the use of E10. We have relied on this E10 blend wall in our vehicle design, and any ethanol blend above E10, including E15, will harm emissions control systems in Mercedes-Benz engines, leading to significant problems with certification, in-use testing, emissions performance and fuel economy.

Mercedes-Benz customers who misfuel with E15 will force the Company to face a host of product liability actions. Although the Mercedes-Benz warranty in the owner's manual is clearly restricted to claims involving "proper maintenance," it would be impossible for the Company to prove that the vehicle damage is due to customer misfueling.



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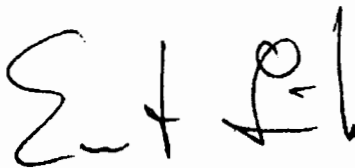
The deterioration, early wear, and aging process depend on how much and how often customers misfuel. Thus, Mercedes-Benz and other manufacturers will be forced into legal actions at a serious disadvantage.

More information on the compatibility of higher ethanol blends in vehicles must be obtained—we simply need more research on the possible negative effects this could have on engines and vehicle components.

At Mercedes-Benz, consumer satisfaction is paramount. Anything that might jeopardize our customer's perception of quality, performance, and safety of a Mercedes vehicle is of deep concern. For this reason, we have steadfastly opposed the EPA's decision to increase ethanol blends without full, comprehensive study. I am pleased that auto manufacturers have been joined by dozens of other associations and industries in voicing similar objections.

Congressman, thank you for your leadership on this issue. Again, thank you for contacting me.

Sincerely,

A handwritten signature in black ink, appearing to read "E. J. L." with a stylized flourish at the end.

NISSAN

Andrew J. Tavi
VP Legal and Government Affairs,
and General Counsel

NISSAN NORTH AMERICA, INC.

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June 17, 2011

The Honorable F. James Sensenbrenner, Jr.
Vice Chairman
House Committee on Science, Space and Technology
United States House of Representatives
2449 Rayburn House Office Building
Washington, DC 20515-4905

Dear Vice Chairman Sensenbrenner:

We appreciate receiving your letter dated June 1, 2011 regarding EPA's two partial waiver decisions that permit the sale of gasoline containing up to 15 percent ethanol (E15) for 2001 model year (MY) and newer passenger cars and light trucks. We believe that increasing the allowable ethanol content in gasoline by 50 percent will have unintended consequences for auto manufacturers, consumers, fuel suppliers and distributors. Nissan's primary concern about these E15 waivers is the overriding need for consumer safety and satisfaction.

Specifically, your letter asks for responses to the following three questions. Our responses are provided below.

1. Are you confident that your cars and trucks from model year 2001 and later will not be damaged by or wear more quickly from use of E15?

No, we are not at all confident that there will not be damage to MY 2001 and later vehicles that are fueled with E15. In our view the record fails to demonstrate that motor vehicles (other than FFVs) would not be damaged and result in failures when run on E15.

2. Will your current warranty cover potential problems stemming from the use of E15 in cars and trucks from model year 2001 and later?

No. Nissan vehicles covered by the waiver were designed to use a maximum of E10. The direction in the owner manuals of Nissan vehicles reflects the fact that they were not designed to run on E15. EPA regulations allow manufacturers to deny warranty coverage for vehicles damaged due to mis-fueling (based on the owner's manual instructions). We are encouraging Nissan vehicle owners to continue to consult their owner's manuals for information regarding the appropriate fuel for the vehicles.

3. Will E15 affect the fuel efficiency of your engines?

Yes. A gallon of ethanol has lower energy content than a gallon of gasoline. Therefore, any increase in ethanol content will necessarily degrade fuel economy.

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The Honorable F. James Sensenbrenner
June 17, 2011
Page 2

Thank you for considering our views. If you have any questions about this information, Please contact Tracy Woodard at tracy.woodard@nissan-usa.com or 615-725-2377.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew J. Tavi". The signature is fluid and cursive, with a large initial "A" and "J".

Andrew J. Tavi
Vice President, Legal and Government Affairs,
and General Counsel

CC: The Honorable Ralph Hall
Chairman, Committee on Science, Space and Technology

The Honorable Eddie Bernice Johnson
Ranking Member, Committee on Science, Space and Technology

TOYOTA

TOYOTA MOTOR NORTH AMERICA, INC.

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June 13, 2011

The Honorable F. James Sensenbrenner, Jr.
Vice Chairman
House Committee on Science, Space, and Technology
Room 2449 Rayburn House Office Building
Washington, DC 20515

Dear Vice Chairman Sensenbrenner:

I am writing in response to your June 1, 2011 letter to James Lentz concerning the Environmental Protection Agency's (EPA's) approval of E15 for use in 2001 model year and later vehicles.

Toyota strongly supports the development of alternative fuels to help reduce dependence on foreign oil and potentially reduce vehicle emissions. However, along with many other automobile manufacturers, Toyota is concerned about the EPA waivers approving use of E15 for 2001 model year and newer vehicles. As you may know, Toyota is a member of the Alliance of Automobile Manufacturers and the Association of Global Automakers, and these trade associations have joined with the National Marine Manufacturer's Association and the Outdoor Power Equipment Industries to challenge EPA's E15 waiver decisions.

Listed below are the questions from your letter along with Toyota's response:

- 1) Are you confident that your cars and trucks from model year 2001 and later will not be damaged by or wear more quickly from use of E15?

RESPONSE: With the exception of the Flexible Fuel Vehicle (FFV) versions of our Tundra and Sequoia (which were designed specifically for the higher ethanol-based fuel), all Toyota, Lexus and Scion models on the road today have only been designed for fuels with up to 10% ethanol (E10). Moving from E10 to E15 represents a 50% increase in the alcohol content of the fuel compared to what the vehicles were designed to accept. Unfortunately, the data considered in connection with EPA's E15 waivers does not adequately determine the effect of this change on Toyota's legacy fleet. Accordingly, Toyota cannot recommend the use of fuel with greater than E10 (10% ethanol) for Toyota vehicles currently on the road, except for the FFV's.

- 2) Will your current warranty cover potential problems stemming from the use of E15 in cars and trucks from model year 2001 and later?

RESPONSE: The vehicle owner's manual for Toyota, Lexus and Scion vehicles clearly recommends against using fuels with ethanol content greater than 10%, except for the FFV's, which can use fuels up to 85% ethanol. Our policy remains that we will not provide warranty coverage for issues arising from the misuse of fuels that exceed specified limits.

3) Will E15 affect the fuel efficiency of your engines?

RESPONSE: Because a gallon of ethanol has lower energy content than a gallon of gasoline, higher level ethanol blends will generally result in lower real-world vehicle fuel economy.

Toyota recognizes that ethanol and other renewable fuels will continue to play an important role in US energy policy. But, rather than pursue a retrospective solution that carries substantial risks for consumers, automakers, equipment makers and fuel providers, we need a prospective solution that provides adequate lead time for vehicle development, fueling infrastructure modifications and misfueling prevention measures. In support of this notion, and to avoid a continually moving target, Toyota stands ready and willing to develop E20 compatible vehicles in the future provided these issues are addressed.

We welcome the opportunity to work with key stakeholders in Congress, the regulatory agencies, the auto industry, the fuel industry and others to examine a practical pathway forward. Please contact me if you have any questions or need any additional information.

Sincerely,



Thomas J. Lehner
Vice President, Government & Industry Affairs
Toyota Motor North America

VOLKSWAGEN

GROUP OF AMERICA

June 9, 2011

The Honorable F. James Sensenbrenner, Jr.
Vice-Chairman, House Committee on Science, Space, and Technology
U.S. House of Representatives
2449 Rayburn House Office Building
Washington, D.C. 20515-4905

Dear Congressman Sensenbrenner,

Thank you for your June 1 letter to Jon Browning inquiring about Volkswagen Group of America's position on EPA's decision to allow E15 for use in cars and trucks of model year 2001 or later. Mr. Browning is out of the country and has asked that I respond on his behalf. We appreciate your leadership on this issue and support your legislation to block the implementation of this rule. Below please find our responses to your questions.

1. Are you confident that your cars and trucks from model year 2001 and later will not be damaged by or wear more quickly from use of E15?

Volkswagen does not have complete confidence that our vehicles will have no problems related to the use of E15. During the development of existing products no manufacturer tested for E15, since this fuel was not considered as a possible fuel when these vehicles were designed and tested. There is risk that a population of these existing vehicles could experience some type of problem due to E15.

Volkswagen agrees that the EPA did not conduct an adequate test program when E15 was considered and then approved for use in conventional vehicles. The auto and petroleum industry, through the CRC organization, conducted some limited testing of five vehicle areas where it was felt E15 could cause problems with some population of 2001 and newer vehicles. These five areas of concern are the following: base engine durability, catalyst durability, fuel system components, evaporative emissions systems and on board diagnostic (OBD) systems. The CRC testing indicated that some vehicles may be subject to problems related to E15 in the areas mentioned. It is possible that Volkswagen vehicles are included in the population of vehicles that could experience problems.

MICHAEL LOHSCHELLER
EXECUTIVE VICE PRESIDENT &
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2. Will your current warranty cover potential problems stemming from the use of E15 in cars and trucks from model year 2001 and later?

No. Our current warranty will not cover problems stemming from the use of E15. Our owner's manuals currently recommend the use of E10 fuels. We disagree with the EPA decision to allow E15 in 2001 and newer vehicles and our advice to our customers is to follow the recommendation found in the owner's manual.

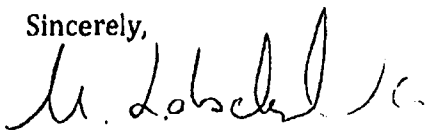
3. Will E15 affect the fuel efficiency of your engines?

Yes, E15 will affect fuel economy negatively. Ethanol has less energy content than gasoline and a higher percentage of ethanol will result in lower fuel economy. Ethanol has higher octane but there is no assurance the increased ethanol will raise the octane of the fuel, since the octane of the base gasoline can be lowered if a higher level of ethanol is used.

In summary, Volkswagen Group of America supports renewable fuels and increased use of ethanol, but disagrees with the EPA's approach to use a higher blend in older vehicles not designed to use this fuel. A more sensible approach is to set a higher level blend in the future with adequate lead time for the industry to design their vehicles to the prescribed higher blend level. The blend level should be set such that the RFS II requirements are fulfilled. The result would be vehicles designed for and optimized to a new higher ethanol fuel. This new fuel should also have a new requirement for a higher octane value that vehicle manufacturers can design to in order to optimize CO2 emissions. Finally, E10 should remain on the market for legacy product.

Again, thank you for recognizing this issue as problematic for manufacturers, and ultimately consumers. Please do not hesitate to contact our Vice President of Government Relations, Anna Schneider, with further questions.

Sincerely,



Michael Lohscheller

cc: Anna Schneider



June 23, 2011

The Honorable F. James Sensenbrenner, Jr.
Vice-Chairman, House Committee on Science, Space and Technology
United States House of Representatives
Room 2449 Rayburn House Office Building
Washington, D.C. 20515-4905

Subaru of America, Inc.
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Cherry Hill, NJ 08034-6000
856-488-8500
www.subaru.com

Dear Vice-Chairman Sensenbrenner,

This is in response to your letter dated June 1, 2011 regarding EPA's partial waiver decisions that would allow E 15 gasoline (gasoline containing 15% ethanol) to be sold and used in vehicles manufactured from the 2001 and newer model years. We thank you for the opportunity to respond to your questions on this topic which would affect our customers, their vehicles and our company.

With the proposed additional increase in ethanol (up 50% from existing allowable) to 15%, we believe that negative consequences will result. Subaru wants to be sure that any change would not adversely affect the safety, drivability and emissions of our vehicles as well as customer's satisfaction.

The specific questions you have asked are repeated below along with our responses. .

1. **Are you confident that your cars and trucks from model year 2001 and later will not be damaged by or wear more quickly from use of E15?**

No, we are not confident that our 2001 model year or later vehicles will not be damaged by the use of E15 in them. Since no Subaru models were included in the testing that had been conducted to support EPA's decision, there is no evidence that our vehicles would not be damaged or continue to be reliable as originally designed.

2. **Will your current warranty cover potential problems stemming from the use of E15 in cars and trucks from model year 2001 and later?**

No. Subaru vehicles designed and manufactured in the 2001 or later timeframe, were constructed to use up to a 10% ethanol mix (E10). Customers are instructed that for proper operation of their vehicles that no more than 10% ethanol fuel should be used. It is stated in the owner's manual that fuel system damage or drivability problems which result from the use of improper fuel are not covered under the Subaru limited warranty.

3. **Will E15 affect the fuel efficiency of your engines?**

Yes, since the energy content is less in ethanol, when blended with gasoline the net effect is a lower energy concentrated mixture, so comparatively more fuel would be required for the equivalent amount of work.

I hope our responses are helpful. Should you have any further questions, please contact Maurice Arcangeli at 856-488-3115 marcangeli@subaru.com.

Sincerely,

Subaru of America, Inc.

A handwritten signature in black ink, appearing to read 'T. Doll', written in a cursive style.

Thomas J. Doll
Executive Vice President & COO



Volvo Car Corporation

The Honorable F. James Sensenbrenner, Jr., Vice-Chairman
House Committee on Science, Space, and Technology
Room 2449
Rayburn House Office Building
Washington, DC 20515-4905

Date
2011-06-02

Telephone indialling

Telefax

Our reference

Dear Vice-Chairman Sensenbrenner:

In response to your letter of June 1, 2011 regarding possible concerns of Volvo Car Corporation (VCC) and other constituents about EPA's recent approval of a blend of 15 percent ethanol (E15) for use in cars and trucks of Model Year 2001 or later, Volvo would like to offer the following answers to the questions posed in your letter.

1. Damage or wear from the use of E15 in model year 2001 and later Volvo vehicles:

Volvo would expect accelerated engine wear and reduced durability over the lifetime of any vehicle engine subjected to E15 use. Field studies done at markets with rising blends above E10 has shown signs of premature ageing of rubber components in the fuel distribution system, which poses an increased risk regarding evaporative emissions. Volvo vehicles currently meet evaporative and exhaust emission performance and durability requirements using fuel containing not more than 10 percent ethanol (E10). While wear and tear at the federal useful life standard of 10 years/120,000 miles would already be concerning, California's Zero Emission Vehicle useful life standard of 15 years/150,000 miles would pose an even greater concern.

Volvo currently markets modified variants that can handle higher levels of ethanol than E10 in some markets

 - Volvo has not currently scheduled to include variants in the U.S. market that can cope with higher ethanol concentrations than 10%
 - We can not modify already produced cars to minimize the risk of the described customer and environmental problems.
2. Warranty coverage of potential problems stemming from the use of E15: Volvo owner's manual specifies a maximum 10 percent allowable ethanol content. The owner's manual also stresses the importance of proper vehicle care and maintenance, including the use of approved fuels, fluids, and lubricants.

Volvo's warranty, spelled out in a Warranty and Maintenance Records Information booklet, reserves the right to deny warranty coverage for damage caused by or under limited but specific circumstances, which expressly include:

"The use of fuel and/or oil, or other fluids which do not meet the Volvo-approved standards as set forth in the Owner's Manual, Volvo Service Literature or [in this] booklet."

However, it must also be understood that federal law puts the burden on the manufacturer to prove cause of emission failure. Therefore, any manufacturer would be prevented from arbitrarily assigning blame to the use of E15; such a determination must be supported by evidence. That kind of evidence can be elusive, given the uncertainty of histories of use of most motor vehicles.

3. E15's effect on vehicle fuel consumption: Ethanol contains less energy than gasoline. E10 already causes an increase in fuel consumption over unblended fuel. Volvo estimates that an increase in ethanol to 15 percent will degrade fuel economy and increase fuel consumption by a further 2.5 percent.
4. E15, an environmental aspect

Bringing a higher content of ethanol in the existing fuel market can be an opportunity to introduce alternative fuels. If focusing on the environmental aspect, the introduction of alternative fuels is in general a multistep process, the impact on the source of fuel and how it used.

Important environmental benefit is a reduction of the use of fossil fuels and replacing it with renewable fuel. In other words, it affects the CO2 balance positively.

The low-blend of ethanol, E10 and E15, causes fuel consumption to increase as described in paragraph 3 but CO2 emissions are expected to be unchanged or better when used. According to Volvo's calculations, CO2 emissions from E15 will be roughly equivalent to E10.

In this case, where the E15 is made available for all passenger car types from MY2001 designed to E10 but not E15, arises an environmental dilemma. The benefits when you utilize E10 to E15 to reduce CO2 the effect does not occur, it remains unchanged.

As described in paragraph 1, it is Volvo's engineering assessment that there is a likelihood of accelerated engine wear and rubber fuel system components are most likely to age prematurely, thus, adding an emission risk with respect to evaporative emissions.

Volvo's summation leads to the conclusion that by introducing the E15 for variants that are designed to E10, will add to the risk associated with respect to emissions while there is



Volvo Car Corporation

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a no significant improvement in CO2 when using E15 instead of E10. Thus arise the conclusion that the risks related to emissions are greater than the benefits in terms of CO2 when using low-blend E15 for variants that are designed to E10. Thank you for considering our views. If you have any questions about the information, please contact Katherine Yehl at kyehl@volvocars.com or (202) 412-5935.

Sincerely,

A handwritten signature in black ink, appearing to be "DS" or "Doug Speck", written over a horizontal line.

Doug Speck
President and CEO
Volvo Cars of North America, LLC



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

FEB - 6 2012

OFFICE OF
AIR AND RADIATION

The Honorable Gary Peters
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Peters:

Thank you for your November 17, 2011, letter co-signed by 32 of your colleagues, to Administrator Lisa P. Jackson concerning registration of gasoline containing 15 volume percent ethanol (E15). You urge the U.S. Environmental Protection Agency to delay registration of E15 until further testing is done on the impact of E15 on vehicles and misfueling concerns are further addressed. The Administrator asked me to respond to your letter on her behalf.

The Clean Air Act section 211(b) requires every manufacturer of a fuel (or fuel additive) designated by the EPA to register the fuel with the EPA before introducing it into commerce. That section and the regulations implementing it spell out the requirements for registering fuels, and those requirements entail submission of information about the manufacturer, the fuel, and the fuel's emission products and potential health and environmental impacts. Section 211(b) also directs the EPA to register the fuel when those requirements have been fulfilled ("[u]pon compliance with the provision of this subsection, . . . the Administrator shall register such fuel or fuel additive."). To the extent the required information or other data indicate the fuel may harm public health or the environment, the EPA may take action to regulate the fuel under section 211(c) of the Act.

The EPA has designated gasoline and diesel fuel (and fuel additives) for registration under section 211(b). Gasoline includes gasoline-ethanol blends such as E10 and E15. In its regulations, the EPA has specified the manufacturer, fuel, emission products and impacts information that must be submitted to register the fuel. A manufacturer seeking to register a fuel submits an application with the specified information, and the EPA approves the application if it determines that the application is complete and satisfies all the requirements of the registration regulations.

The reasons you give in your letter for delaying the registration of E15 do not relate to registering a fuel in accordance with the Clean Air Act, but instead relate to EPA's decision to grant partial waivers allowing E15 to be introduced into commerce for use in model year (MY) 2001 and newer light-duty motor vehicles (i.e., cars and all but the heaviest vans, SUVs and pick-up trucks). A waiver may be granted under the Clean Air Act if a demonstration is made that the new fuel (or fuel additive) will not cause or contribute to the failure of vehicles or engines to meet applicable emission standards over their useful lives.

Based on the extensive test data available and EPA's engineering analysis, and after careful consideration of numerous public comments, the Agency concluded that E15 meets the statutory criterion for a waiver with respect to MY 2001 and newer light-duty motor vehicles. In reaching its conclusion, the EPA considered the issues you raise in your letter to the extent they are relevant to the statutory criterion for making waiver determinations. Vehicle and engine manufacturer warranties, for example, are not determinative of whether a fuel meets the statutory criterion for a waiver. Of central relevance are results of test programs that are well designed to determine the impact of E15 on vehicle and engine emissions. The EPA carefully considered all available test data and ongoing test programs, including those of the Coordinating Research Council (CRC). While CRC programs have yielded much useful information, the particular test program you mention has several design flaws, including no testing on baseline fuel or E15, and use of an "aggressive" form of ethanol not allowed under existing fuel regulations. Those design flaws prevent the test results from answering the specific questions relevant to waiver determinations.

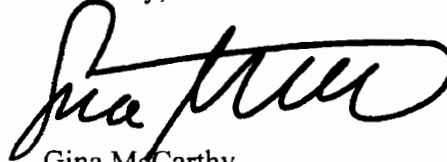
In your letter you express particular concern about the potential impacts of E15 on marine engines. Based on our engineering assessment that marine and other nonroad engines, vehicles and equipment (nonroad products) are generally equipped with less sophisticated emission controls that may not accommodate E15, the EPA denied the waiver for all of those nonroad products, as well as for all motorcycles and heavy-duty gasoline-fueled engines and vehicles. EPA's assessment was confirmed for marine engines by the recent report you cite from the National Renewable Energy Laboratory.

You recognize in your letter that the EPA denied the waiver for marine engines and the other types of vehicles and engines listed above. You express concern, however, that E15 may crowd out other fuels in the marketplace, which might make misfueling unavoidable. The E15 waivers include conditions that require E15 producers to implement misfueling mitigation measures, and a final rule that the EPA issued in June requires that E15 producers and marketers take several specific steps, including fuel pump labeling, to help minimize the potential for misfueling. We based the misfueling mitigation requirements on similar requirements that proved successful in transitioning the marketplace to ultra-low sulfur diesel fuel.

As we stated in the final misfueling mitigation rule and in congressional testimony, we are committed to working with stakeholders to monitor the entry of E15 into the marketplace and the effectiveness of the misfueling mitigation program so that we may address any issues that arise on a timely basis.

Again, thank you for your letter. If you have further questions, please contact me or your staff may call Diann Frantz in EPA's Office of Congressional and Intergovernmental Relations at (202) 564-3668.

Sincerely,

A handwritten signature in black ink, appearing to read "Gina McCarthy", written over a horizontal line.

Gina McCarthy
Assistant Administrator